The district’s bold goal of reducing out-of-school suspensions (except when critical for student and staff safety) requires rethinking district policies and procedures in order to be successful. The research is clear: even one out-of-school suspension (OSS) dramatically decreases a student’s ability to graduate on time.

Notification of These Procedures

Information about these procedures, as well as the district’s expectations for students, will be published in the Student Rights & Responsibilities handout and provided to every student at the start of every school year. The information will also be available on the district’s website. The Office of the Superintendent of Public Instruction (OSPI) is charged with writing rules on implementation of student discipline; OSPI had not finalized their new discipline rules by the time this procedure was approved and the Student Rights & Responsibilities document was sent to the printers. The district’s website is the official site for the most up-to-date version of this procedure and the Student Rights & Responsibilities information.

Definitions

- **Discipline** means all forms of corrective action other than emergency removal, suspension or expulsion. Discipline includes the exclusion of a student from any type of activity conducted by or on behalf of the school district and exclusion of a student from a class by a teacher or administrator for a period of time that does not exceed the balance of the immediate class period, provided the student is in the custody of a school district employee.

- **Discretionary discipline** (RCW 28A.600.015) refers to any form of corrective action taken in response to student misconduct that violates the rules, policies, or procedures adopted by the School Board, other than the misconduct listed in one or more of the categories in this procedure in the section titled ‘Suspensions, Expulsions—Authorized by the State’. Discretionary discipline cannot include long-term suspension or expulsion.

- **Emergency removal** means a student’s immediate removal from a class, subject or activity by a certificated teacher or an administrator or a school bus driver and sending the student to the building principal or designee, when 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 staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process.
• **Suspension** means the denial of attendance for any single subject or class or for any partial or full schedule of subjects or classes for a stated period of time. Suspension may also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented or controlled by the district.
  o **In-school suspension** means an official suspension that is served within the school building, allowing a student to continue to access educational services. In-school suspensions may only be short-term.
  o **Out-of-school suspension** means an official suspension that is served by excluding the student from the school building, school activities, and other district properties. Out-of-school suspensions may be either short-term or long-term.
  o **Short-term suspension** means suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
  o **Long-term suspension** means a suspension that exceeds ten (10) consecutive school days. A long-term suspension may not exceed the length of one semester (90 days) and may not be imposed for any infraction not included in this procedure in the section titled Suspensions, Expulsions—Authorized by the State.

• **Emergency expulsion** means the emergency removal from school for up to, but not exceeding, ten (10) consecutive school days by the Superintendent or designee. An emergency expulsion requires the superintendent or designee to have good and sufficient reason to believe that the student’s presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school. If the district converts the emergency expulsion to another form of corrective action, it must provide notice and an explanation of due process rights to the student and parent/guardian.

• **Expulsion** means a denial of attendance for a period of time but no longer than 90 days\(^1\) from the time the student is removed from their current school placement by the Superintendent or designee. An expulsion may not be for an indefinite period of time and may only be imposed for the offenses listed in this procedure in the section titled ‘Suspensions, Expulsions—Authorized by the State. An expulsion may be extended beyond 90 days if (1) The school petitions the Superintendent for an extension; and (2) The Superintendent authorizes the extension pursuant to the rules and process outlined in this procedure. An expulsion may also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented or controlled by the district.

• **School business day** means any calendar day except Saturdays, Sundays and any federal, state or school holiday when the office of the Superintendent is open to the

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\(^1\) Except for an expulsion for bringing a firearm, which requires a mandatory one-year expulsion.
public for business. A school business day ends when the Superintendent’s office closes for the day.

- **School day** means a calendar day except school holidays on which enrolled students are engaged in educational activity which is planned, supervised and conducted by or under the supervisions of certificated staff and on which day all or any portion of enrolled students participate in such educational activity.

- **Reengagement meeting** means a meeting held between the district and the student and parent/guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible. **Reengagement plan** means a culturally sensitive and culturally responsive written plan developed between the district and a student and his/her parent/guardian, which is designed to aid the student in taking the necessary steps to remedy the situation that led to the student’s suspension or expulsion and to return the student to the educational setting as soon as possible. Parents/guardians must have access to, provide meaningful input on, and have the opportunity to participate in the student’s reengagement plan.

**Student Discipline & Professional Judgment**

The Superintendent designates school discipline matters to the building administrator. Building administrators are required to use professional judgment to determine the appropriate disciplinary sanction. Because each situation is different, building administrators are asked to consider the following six factors when disciplining a student:

- Consistent from day to day and from student to student;
- Guided by appropriate classroom management strategies, including implementing PBIS with fidelity;
- Balanced against the severity of the misconduct;
- Appropriate to the student’s circumstances and prior behavior;
- Fair to the student, parent/guardian, and others; and
- Effective.

No form of discipline will be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject or graduation requirements. The disciplinary practice of corporal punishment, defined as willfully inflicting or causing the infliction of physical pain on a student, is prohibited. Corporal punishment does not include the use of reasonable force as necessary to maintain order or to prevent a student from harming him/herself, other students, school staff, or property. This prohibition does not limit or otherwise modify provisions around aversive interventions.

Students who commit offenses or violation of rules as defined in district policy, procedure, school rules or the current Student Rights and Responsibilities handbook on school property, at school-sponsored events or activities, or adjacent² to school premises will be subject to

² Adjacent – All property having a common boundary with school district property is considered adjacent property. Additionally, property bordering an area being used by the school district for a district activity is considered adjacent during the time that the property is being used by the district.
interventions and/or corrective action. Appropriate action will be taken by school authorities depending upon the violation and circumstances.

Continuation of Educational Services

Students who have been short-term suspended are eligible to continue with their regular coursework, although if the suspension is an out-of-school suspension the student will have to complete coursework off campus. Students who have been short-term suspended must be allowed to turn work in and not have their grades penalized solely for missing class because of a suspension.

Students who have been long-term suspended or expelled will be allowed to continue to receive educational services, although such services will be offered in an alternative setting. Generally students who have been long-term suspended or expelled will be referred to the Connections Center for placement. Other opportunities may include tutoring or online services.

Students who qualify for an Individual Education Plan or a Section 504 plan will be afforded the opportunity to continue to receive educational services under any type of suspension.

Emergency Removal From a Class, Subject, or Activity

A student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator without attempting other forms of corrective action and sent to the building principal or a designated school authority: PROVIDED, that the teacher or administrator has good and sufficient reason to believe 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:

1. The danger or threat ceases, or
2. 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.

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 beginning of the next school day. Prior to, or at the time any such student is returned to the class, subject, or activity, the principal or school authority shall notify the teacher or administrator who removed the student from the room of the action which has been taken or initiated.

Suspensions, Expulsions—Authorized by State Law

In 2016 the Washington state legislature made substantial changes to state laws about student discipline. The legislature limited a school district’s ability to long-term suspend or expel a
student to certain types of misconduct, and determined that all other types of misconduct would be limited to a short-term suspension.

While in general Highline Public Schools strives to keep students in school and learning in a safe and appropriate environment, there are certain times when an immediate out-of-school suspension (OSS) or expulsion is appropriate. An OSS (short-term or long-term) or expulsion for a first offense is allowed for the offenses listed below. These offenses have been identified by the state legislature as the only offenses for which a student may be long-term suspended or expelled.

A. Bringing a firearm onto school property, school transportation, to a school event activity, or to other school-district owned property, in violation of RCW 28A.600.420, will result in an automatic one-calendar-year expulsion
   1. If this occurs, school authorities should notify local law enforcement about the expulsion, as well as the student’s parent/guardian.
   2. The Superintendent and the student placement office must be notified of any expulsion within 24 hours of the incident.

B. Any of the following offenses listed in RCW 13.04.155, including
   1. Any violent offense as defined in RCW 9.94A.030, including
      a. Any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
      b. Manslaughter;
      c. Indecent liberties committed by forcible compulsion;
      d. Kidnapping;
      e. Arson;
      f. Assault in the second degree;
      g. Assault of a child in the second degree;
      h. Robbery;
      i. Drive-by shooting; and
      j. Vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner
   2. Any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
   3. Inhaling toxic fumes in violation of chapter 9.47A RCW;
   4. Any controlled substance violation of chapter 69.50 RCW;
   5. Any liquor violation of RCW 66.44.270;
   6. Any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280 (information on weapons in schools can be found at http://www.k12.wa.us/Safetycenter/Weapons/default.aspx);
      a. RCW 9.41.280 prohibits nun-chu-ka sticks, throwing stars, air guns/pistols/rifles that are designed to propel a projectile; a portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired
probes that are attached to the device that emit an electrical charge
designed to administer to a person or an animal an electric shock,
charge, or impulse; or a device, object, or instrument which is used or
intended to be used as a weapon with the intent to injure a person by an
electric shock, charge, or impulse.
b. RCW 9.41.250 further defines as a "dangerous weapon" any device
known as a slug shot, sand club, or metal knuckles, or spring blade
knife.
c. If a student is expelled under this section school authorities should notify
local law enforcement about the expulsion, as well as the student's
parent/guardian.
d. The Superintendent and the student placement office must be notified of
any expulsion within 24 hours of the incident.
7. Any violation of chapter 9A.36 RCW, including assault, malicious harassment,
drive-by-shooting, reckless endangerment, promoting a suicide attempt,
correction, assault of a child, custodial assault, and failing to summon assistance
for an injured victim of a crime in need of assistance;
8. Any violation of chapter 9A.40, including kidnapping unlawful imprisonment,
custodial interference, luring, and human trafficking;
9. An violation of chapter 9A.46 RCW, including harassment, stalking, and criminal
gang intimidation; and
10. Any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious
mischief, and criminal street gang tagging and graffiti
C. Two or more violations of the following within a three-year period
1. Criminal gang intimidation in violation of RCW 9A.46.120
2. Gang activity on school grounds in violation of RCW 28A.600.455
3. Willfully disobeying school administrative personnel in violation of RCW
28A.635.020; and
4. Defacing or injuring school property in violation of RCW 28A.635.060
D. Any student behavior that adversely affects the health or safety of other students or
educational staff.

Suspensions, Expulsions—Discretionary Discipline Authorized by Highline Public
Schools

The following offenses have been identified by the Highline School District as eligible for an
immediate short-term suspension, without attempting other interventions first.

A. Students who are under the influence of drugs or alcohol. "Under the influence
of" is the act of being physically intoxicated or high while on campus, school
transportation, or in a location being used for school purposes.
1. First offense—1 day suspension.
2. Subsequent offenses—Up to 5 days of suspension. Student must
show proof of a drug/alcohol assessment appointment at a certified
drug/alcohol treatment facility and agree to follow any treatment plan that
is recommended. Students may be readmitted to school with proof of an
appointment—completing the assessment or treatment is not a requirement for returning to school.

3. In all instances the school should immediately contact the student's parent/guardian and request a conference.

B. Students who are in possession of drug/alcohol paraphernalia. "In possession of paraphernalia" means a student has in his or her possession, including in the student’s locker; in an item controlled by the student, such as a backpack, book bag, music instrument case, or athletic equipment bag; or cached on campus, school transportation, or in a location being used for school purposes, items used in the creation or distribution of drugs or alcohol. "Paraphernalia" can include but is not limited to items such as pipes, scales, bags, diluents, adulterants, needles or syringes, capsules or testing equipment. Prior to administering any type of discipline or suspension the school administrator should take into account other logically relevant factors, including the student's explanation of why he or she has the paraphernalia, prior violation of this or other drug/alcohol related prohibitions, and direct or circumstantial evidence of the intent of the owner. If the school administrator determines that the paraphernalia was intended to be used with drugs or alcohol, the school administrator may suspend the student.

1. First offense—1 day of suspension.
2. Subsequent offense—Greater than 1 day suspension, but not exceeding the remainder of the current semester. Length of time should depend on the variables involved in the specific situation.
3. In all instances the school should immediately contact the student’s parent/guardian and request a conference.

C. Students in possession of drugs or alcohol. "In possession of drugs or alcohol" means the student has possession of drugs or alcohol either on the student's person; in the student’s locker; in an item controlled by the student, such as a backpack, book bag, music instrument case, or athletic equipment bag; or that the student has cached on drugs or alcohol on campus, school transportation, or in a location being used for school purposes.

1. First offense—1 day of suspension.
   1. Student must show proof of a drug/alcohol assessment appointment at a certified drug/alcohol treatment facility and agree to follow any treatment plan that is recommended. Students may be readmitted to school with proof of an appointment—completing the assessment or treatment is not a requirement for returning to school.
   2. The school should immediately contact the student’s parent/guardian and request a conference.
   2. Subsequent offense—Greater than 1 day suspension, but not exceeding the remainder of the current semester. Length of time should depend on the variables involved in the specific situation.
   1. Student must show proof of a drug/alcohol assessment appointment at a certified drug/alcohol treatment facility and agree to follow any treatment plan that is recommended. Students may be readmitted to school with proof of an appointment—completing the assessment or treatment is not a requirement for returning to school.
2. The school should immediately contact the student's parent/guardian and request a conference.

3. Students found distributing drugs/alcohol shall be immediately emergency expelled. Distributing drugs or alcohol means that a student is exchanging drugs or alcohol with another person for something of value. "Distribution" does not include students using drugs or alcohol together unless something of value has been exchanged. Emergency expulsions must be converted to another form of discipline within 10 days; administrators should take into account the circumstances of the specific situation when deciding how to convert the emergency expulsion.

D. Students may be suspended for safety reasons in cases where the student's presence poses an immediate and continuing danger to other students or school personnel, or poses an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The length of suspension for a safety reason should take into account the specific circumstance and should be narrowly tailored to bring the student back into school as soon as possible.

E. Schools may use short-term suspensions as a consequence when other documented interventions have not proved successful and the school believes that an out-of-school suspension is the next logical consequence for a student's actions. Long-term suspensions may only be used in situations involving misconduct outlined in the section titled 'Suspensions, Expulsions—Authorized by the State'.

Protective Spray Devices

Under RCW 9.91.160, students age 14 years and older may legally possess personal protective spray devices (such as Mace and pepper spray) if that student has parent permission. Schools may not prohibit the possession of personal protection spray devices, if the student is at least 14 years of age with parent permission, or any person age 18 or older.

Grievance and Appeal Processes

This section outlines the process that a student or the student’s family should use if they disagree with the discipline, suspension or expulsion of the student.

Discipline Other than Suspensions or Expulsions—Conditions, Limitations, Grievance Process

1. Conditions and Limitations
   a. Discipline may be imposed on a student for violation of school or district rules, but no discipline may be imposed in a way that prevents a student from accomplishing specific academic grade, subject, or graduation requirements.

2. Grievance Process
   a. Any student or parent/guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the school principal 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 and, if appropriate, be involved in the conference. During such conference the student, parent or guardian may be questioned by school authorities and is entitled to question school personnel involved in the matter being grieved.

b. In the event the grievance is not resolved at the building level, 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 or designee.

c. If the grievance is still not resolved, the student, parent or guardian, upon 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 regularly scheduled meeting. The Board shall notify the student, parent or guardian of its response to the grievance within 10 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—Conditions, Limitations, Grievance Process—Applies to both In-School and Out-of-School Suspensions

"Short-term suspension" shall mean a suspension for any portion of a calendar day up to but not exceeding 10 consecutive school days.

3. Conditions and Limitations
   i. The nature and circumstance of the violation must be considered and must reasonably warrant a short-term suspension and the length of the suspension imposed.
   
   ii. As a general rule no student shall be suspended 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 provided; however, exceptional misconduct (as defined in Section I of this document) shall be dealt with as predetermined without the necessity of imposing another form of corrective action or punishment prior to the suspension.
   
   iii. Kindergarten through grade four: No students in kindergarten through grade four shall be subject to short-term suspensions for more than a total of 10 school days during any single semester or trimester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
   
   iv. Grades five and above: No student in the grade five and above program shall be subjected to short-term suspension for more than a total of 15 school days during any single semester or 10 school days during any single trimester, as the case may be.
   
   v. Any student subject to a short-term suspension shall be offered the opportunity to continue to receive educational services as outlined in the 'Continuation of Educational Services' section, above.
   
   vi. Any student who has been suspended shall be allowed to make application for readmission at any time to the student placement office by completing 3240F.
vii. In all cases where short term suspensions are imposed, it is recommended that parents be contacted prior to suspending the student.

viii. All short-term suspensions and the reasons therefore must be reported in writing to the Superintendent or designee within 24 hours.

4. Prior Conference Requirement

Prior to the short-term suspension of any student, a conference must be conducted with the student as follows:

i. An oral or written notice of the alleged misconduct or violation of school or district rules, along with evidence and the proposed corrective action must be provided to the student.

ii. The student shall be provided with an opportunity to explain the situation.

iii. The parent/guardian must be notified of the reason for the suspension and the duration. The notice must be provided by a letter provided in person to the parent/guardian or by letter deposited in the US Mail as soon as possible. The notice must offer an informal conference and tell the parent/guardian that the suspension could be reduced as a result of the conference. The notice should be provided in the predominant language of a student and/or parents/guardians who predominantly speak a language other than English, to the extent feasible.

5. Grievance Process

i. Any student or parent/guardian who is aggrieved by the imposition of discipline action shall have the right to an informal conference with the school authorities 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 and, if appropriate, be involved in the conference. During such conference the student or parent/guardian may be questioned by school authorities and is entitled to question school personnel involved in the matter being grieved.

ii. In the event the grievance is not resolved at the building level, the student, parent or guardian, upon 2 school business days' prior notice, shall have the right to present a written and/or oral grievance to the Superintendent or designee.

iii. If the grievance is still not resolved, the student, parent or guardian, upon 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 regularly scheduled meeting, or at a meeting held within 30 days, whichever is earlier. A closed meeting may be held for the purpose of considering the grievance. The Board shall notify the student or parent/guardian of its response to the grievance within 10 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.

Long-Term Suspension—Conditions, Limitations, Grievance Process

"Long-term suspension" shall mean a suspension that exceeds 10 consecutive school days.
6. Conditions & Limitations
   i. A long-term suspension may only be imposed for misconduct that falls within one or more of the categories listed in the section of this procedure titled ‘Suspensions, Expulsions—Authorized by State Law’. 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. No long-term suspension can exceed the length of an academic term (90 school days).
   ii. As a general rule no student shall be suspended 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 provided; however, exceptional misconduct (as defined in Section I of this document) shall be dealt with as predetermined without the necessity of imposing another form of corrective action or punishment prior to the suspension.
   iii. Kindergarten through grade four: No student in kindergarten through grade four shall be subject to long-term suspension during any single semester or trimester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
   iv. Grades five and above: 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 in excess of one semester or trimester, as the case may be, during the same school year.
   v. Any student who has been suspended shall be allowed to make application for readmission at any time to the student placement office by completing 3240F.
   vi. All long-term suspensions and the reasons therefore shall be reported in writing to the Superintendent or his or her designee within twenty-four hours after the imposition of the suspension.
   vii. In all cases where long-term suspensions are imposed, it is recommended that parents/guardians be contacted prior to the suspension.

7. Notice of Hearing/Waiver of Hearing
Prior to the long-term suspension or 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:
   i. Be provided in the predominant language of a student and/or parent(s)/guardian(s) who predominantly speak a language other than English, to the extent feasible;
   ii. Specify the alleged misconduct and the school district rule(s) alleged to have been violated;
   iii. Set forth the corrective action or punishment proposed;
   iv. Set forth the right of the student and/or his or her parent/guardian to a hearing for the purpose of contesting the allegation(s); and
   v. Set forth the facts that:
      1. A written or oral request for a hearing must be received by the Student Placement office, on or before the expiration of the 3rd school business day after receipt of the notice; and
2. If such a request is not received within the prescribed period of time, then the right to a hearing is waived and the proposed long-term suspension or expulsion may be imposed by the school district without any further opportunity for the student or his or her parent(s)/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.

8. Prehearing and Hearing Process
If a request for a hearing is received within the required 3 school business days, the school district shall schedule a hearing with a hearing officer to commence within 3 school business days after the date upon which the request for a hearing was received. The student and his or her parent(s)/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. Be represented by legal counsel;
   iii. Question and confront witnesses;
   iv. Present his or her explanation of the alleged misconduct; and
   v. Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires. 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)/guardian(s) intend to introduce at the hearing.
   vi. The person(s) hearing the case shall not be a witness, and the final decision regarding the imposition of corrective action shall be determined solely on the basis of the evidence presented at the hearing. Either a tape-recorded or verbatim record of the hearing shall be made. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension 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/guardian within 5 business days.

9. Appeals
The student or parent/guardian may appeal the decision of the hearing officer to the School Board by providing written or oral notice to the student placement office within 3 school business days after the date of receipt of the decision.
   i. If the appeal is not received in a timely fashion the suspension may be imposed as of the calendar day following expiration of the three school business day period.
   ii. If a timely appeal is received the suspension may be imposed during the appeal period, if:
      1. The suspension may be imposed during the appeal period for no more than 10 consecutive school days or until the appeal is decided, whichever is shortest.
      2. Any days that the student is suspended before the appeal is decided shall be applied to the term of the suspension and shall not limit or extend the student's suspension.
3. Any student subjected to a temporary suspension who returns to school before the appeal is decided shall be provided the opportunity to make up assignments and tests if the assignments or tests will have a substantial effect on the student's semester or trimester grade(s) or if failure to complete the assignments would preclude the student from receiving credit for the course(s).

II. Expulsion
"Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes, or any other type of activity conducted by or in behalf of a school district, or any combination of the foregoing, for up to one calendar year from the date of the expulsion. 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. Expulsions for weapons violations, as outlined in Section I, shall be from all public schools in the state. Expulsions for other violations are expulsions only from the district where the incident took place.

1. Conditions & Limitations

i. An expulsion may only be imposed for misconduct that falls within one or more of the categories listed in the section of this procedure titled 'Suspensions, Expulsions—Authorized by State Law.' The nature and circumstances of the violation must be considered and must reasonably warrant an expulsion and the length of the expulsion imposed. No expulsion can exceed the length of an academic term (90 school days) except for the mandatory one-year expulsion for having a firearm, as outlined in subsection A of 'Suspensions, Expulsions—Authorized by State Law' or in cases where the Superintendent has authorized a longer expulsion.

ii. Unless required by law, 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 of punishment would fail if employed.

iii. An expulsion may not exceed 90 days (the length of one academic term) from the date of the corrective action unless the school petitions the Superintendent for an extension and the Superintendent authorizes the extension.

iv. Once a student has been expelled in compliance with this policy, the expulsion shall be brought to the attention of appropriate local and state authorities including, but not limited to, juvenile authorities.

v. Any student who has been expelled shall be allowed to make application for readmission at any time to Student Placement by completing 3240F.

vi. All expulsions and the reasons therefore shall be reported in writing to the Superintendent and the Student Placement office within 24 hours after the imposition of the expulsion.

3 Exception: Possession of firearms on school property will result in a mandatory expulsion of not less than one year, subject to appeal with notification to parents and law enforcement (RCW 28A.600.420). The Superintendent may modify the expulsion of a student on a case-by-case basis.
2. Notice of Hearing/Waiver of Hearing
Prior to the long-term suspension or 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)/guardian(s). The notice shall:
   i. Be provided in the predominant language of a student and/or parent(s)/guardian(s) who predominantly speak a language other than English, to the extent feasible;
   ii. Specify the alleged misconduct and the school district rule(s) alleged to have been violated;
   iii. Set forth the corrective action or punishment proposed;
   iv. Set forth the right of the student and/or his or her parent/guardian to a hearing for the purpose of contesting the allegation(s); and
   v. Set forth the facts that:
      1. A written or oral request for a hearing must be received by the student placement office, on or before the expiration of the 3rd school business day after receipt of the notice; and
      2. If such a request is not received within the prescribed period of time, then the right to a hearing is waived and the proposed long-term suspension or expulsion may be imposed by the school district without any further opportunity for the student or his or her parent(s)/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.

3. Prehearing and Hearing Process
If a request for a hearing is received within the required 3 school business days, the school district shall schedule a hearing to commence within 3 school business days after the date upon which the request for a hearing was received. The student and his or her parent(s)/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. Be represented by legal counsel;
   iii. Question and confront witnesses;
   iv. Present his or her explanation of the alleged misconduct; and
   v. Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires. 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.
   vi. The person(s) hearing the case shall not be a witness, and the final decision regarding the imposition of corrective action shall be determined solely on the basis of the evidence presented at the hearing. Either a tape-recorded or verbatim record of the hearing shall be made. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension 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/guardian within 5 business days.
4. Appeals
The student or parent/guardian may appeal the decision of the hearing officer to the School Board by providing written or oral notice to the student placement office within 3 school business days after the date of receipt of the decision.

i. If the appeal is not received in a timely fashion the expulsion may be imposed as of the calendar day following expiration of the 3 school business day period.

ii. If a timely appeal is received the expulsion may be imposed during the appeal period, if

1. An expulsion may be imposed during the appeal period for no more than 10 consecutive school days or until the appeal is decided, whichever is shortest.

2. Any days that the student is expelled before the appeal is decided shall be applied to the term of the expulsion and shall not limit or extend the student’s expulsion.

3. Any student subjected to a temporary expulsion who returns to school before the appeal is decided shall be provided the opportunity to make up assignments and tests if the assignments or tests will have a substantial effect on the student’s semester or trimester grade(s) or if failure to complete the assignments would preclude the student from receiving credit for the course(s).

Petition for Extension of Expulsion

The principal or designee may petition the Superintendent for authorization to exceed the length of one academic term (90 school days) for a student’s expulsion when warranted because of a perceived risk to public health and safety. The petition may be submitted any time after final imposition of the expulsion and prior to the end of the expulsion. The petition will include:

- A detailed description of the student’s misconduct, the school rules that were violated, and the public health or safety concerns of the district;
- A detailed description of the student’s academic, attendance and discipline history, if any;
- A description of the lesser forms of corrective action that were considered and the reasons why they were rejected;
- A description of all alternative learning experiences, vocational programs and/or other educational services that may be available to the student;
- The proposed extended length of the expulsion;
- Identification of special education services or accommodations pursuant to Section 504, if appropriate; and
- A proposed date for the reengagement meeting

A copy of the petition will be delivered in person or by certified mail to the student and his/her parents/guardians in a language they can understand, if other than English. The student and/or parents/guardians may submit a written or oral response to the petition within ten (10) school business days of receiving the petition.

Within eleven (11) school business days, but not later than twenty (20) school business days from delivery of the petition to the student and parents/guardians, the Superintendent will issue a written decision granting or denying the petition. The Superintendent, in his or her discretion,
may grant the petition if evidence exists that if a student were to return at or before 90 school
days, he/she would pose a risk to public health or safety. The written decision will include a
description of rights and procedures for appeal.

The student and/or parents/guardians may appeal the decision to the School Board within ten
(10) school business days of receiving the Superintendent’s decision. The appeal of a
Superintendent’s decision to extend an expulsion shall follow the same procedures as the initial
expulsion.

Emergency Expulsion

5. Limitations
   i. A student may be expelled immediately by school administration in
      emergency situations: PROVIDED, such official has good and sufficient
      reason to believe that the student’s presence poses an immediate and
      continuing danger to other students or school personnel or an immediate
      and continuing threat of substantial disruption of the educational process.
      All emergency expulsions must end or be converted to another form of
      corrective action within 10 school days from the date of removal from
      school. If the emergency expulsion is converted to another form of
      corrective action, a notice outlining the new corrective action and
      providing due process rights must be provided.

   i. The student and his or her parent(s)/guardian(s) shall be notified of the
      emergency expulsion of the student and of their opportunity for a hearing
      by hand delivery or by certified letter(s) deposited in the U.S. mail within
      24 hours of the emergency expulsion. In addition, reasonable attempts
      shall be made to notify the student and his or her parent(s)/guardian(s) by
      telephone or in person as soon as reasonably possible. Such written and
      oral notice shall:
   ii. Be provided in the predominant language of a student and/or
       parent/guardian who predominantly speak a language other than English,
       to the extent feasible;
   iii. Specify the alleged reason(s) for the emergency expulsion, including why
        the student’s presence poses an immediate and continuing danger to
        students or staff, or poses an immediate and continuing threat of
        disruption to the educational process;
   iv. Set forth the dates on which the emergency expulsion will start and end;
   v. 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
   vi. Set forth the facts that:
       1. A written or oral request for a hearing must be received by the
          student placement office, on or before the expiration of the 3rd
          school business day after receipt of the notice of opportunity for a
          hearing; and
       2. If such a request is not received within prescribed period of time,
          then the right to a hearing is 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/guardian to contest the matter.

vii. A schedule of "school business days" potentially applicable to the exercise of all hearing rights should be included with the notice.

7. Emergency Expulsion - Prehearing and Hearing Process
   i. If a request for hearing within the required 3 school business days is received, 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 2nd school business day after receipt of the request for hearing. The student and his or her parent(s)/guardian(s) shall have the right to:
   ii. Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing;
   iii. Be represented by legal counsel;
   iv. Question and confront witnesses;
   v. Present his or her explanation of the alleged misconduct; and
   vi. Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires. 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)/guardian(s) intend to introduce at the hearing.
   vii. The person(s) hearing the case shall not be a witness, and the final decision regarding the imposition of corrective action shall be determined solely on the basis of the evidence presented at the hearing. Either a tape-recorded or verbatim record of the hearing shall be made. Within 1 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 not, the student and his or her parent/guardian shall be notified thereof by depositing a certified letter in the U. S. 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.

Re-Engagement Meetings and Plan

Schools are required to hold a re-engagement meeting for students who have been long-term suspended or expelled, to discuss a plan to reengage the student in a school program. The meeting should be held within 20 days of the long-term suspension or expulsion, but must be held not less than 5 days before the student's reentry or enrollment.

The district must create a plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the suspension or expulsion. Additionally, the district will take reasonable steps to develop the plan with the participation and input of the student and his/her parents/guardians to ensure that it is culturally sensitive and culturally responsive.
When developing the reengagement plan the district should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action and supportive interventions that aid in the student’s academic success and keep the student engaged and on track to graduate. A reengagement meeting does not replace a petition for readmission.

Readmission Process

Any student who has been suspended or expelled will be allowed to apply for readmission at any time. If a student desires to be readmitted to any school in the district, including the school from which he/she has been suspended or expelled, he/she must submit a written application to the Student Placement Office. The application must include:

- Reasons the student wants to return and why the request should be considered;
- Evidence that supports the request; and
- A supporting statement from the parent or others who may have assisted the student

Discipline of Students who Qualify for Special Education Services

Students who qualify for special education services can be disciplined under the same rules as all students, with the modifications listed below as required by the federal Individuals with Disabilities Education Act (IDEA) and relevant state laws.

8. Short-term suspensions or emergency expulsions: The general rules relating to school-based discipline or responses, short-term suspensions, or emergency expulsions apply to students who qualify for special education services when the action taken or proposed does not exceed 10 consecutive school days, or when the action taken or proposed does not constitute a pattern of removal from the school.
   i. Educational services do not have to be provided during the removal unless services are provided to students without disabilities.

9. Long-term suspensions or expulsions: If the recommended disciplinary action for a student who qualifies for special education services is a long term suspension or expulsion, or if the removals from school constitute a pattern of removal that adds up to more than 10 days in the school year, a manifestation determination meeting must be held prior to imposing the disciplinary action but not later than 10 days after imposing the disciplinary action.

10. Manifestation Determination Meeting: A manifestation determination meeting is held to determine whether the student’s conduct is caused by or is the result of the student’s disability or whether the student’s conduct is the result of an inappropriate placement.
   i. The student’s regular Individual Education Plan (IEP) team members should participate in the meeting.
   ii. If the conduct is not determined to be a manifestation of the student’s disability and is not the result of an inappropriate placement, the student may be disciplined like any other student, and the team should determine which educational services should be provided during the time of removal.
   iii. If the conduct is a manifestation of the student’s disability then an IEP meeting must be held to determine the services that should be offered in order to provide a free and appropriate public education.
iv. If the conduct is determined to be the result of an inappropriate placement an IEP meeting must be held to discuss alternative placements for the student.

11. Interim Alternative Educational Setting: A student who qualifies for special education may be placed in an interim alternative educational setting (IAES) without a change of placement in the IEP or without a court order for (1) up to 10 days; or (2) up to 45 days if the student carries a gun or other dangerous weapon or sells or distributes illegal drugs on school property or on school sponsored transportation or a school function; or causes severe injury to another person.

12. Behavior Plans: A Behavior Intervention Plan (BIP) must be established for students whose behavior negatively impacts their ability to reach their educational goals. The plan should prescribe specific disciplinary procedures for the student and may include removal from school for specified amounts of time as part of the IEP. Either school personnel or the parent may request a new IEP meeting and review of the BIP if either finds that the plan is not satisfactory or is in need of revision.

13. Educational Obligations to a Student Pending Hearing: From the time a parent/guardian initiates a due process hearing through the appeal process, Highline Public Schools is required to providing educational services to a student who qualifies for special education, although those services may not be provided within the school setting.

504 Discipline Plans

Section 504 protects disabled students from being improperly removed from school for misconduct that is related to their disability. As a general rule, Section 504 and Individuals with Disabilities Education Act (IDEA) apply to the disciplinary removal of disabled students in a similar manner.

Disciplinary actions that exclude a student for more than 10 consecutive days or create a pattern of exclusion from school (as described in the 504 manual) require that the district evaluate the student to determine whether the student’s misconduct is either related to his or her disability or due to an inappropriate placement. This type of evaluation is commonly called a "manifestation determination."

If a disabled student’s misconduct is a manifestation of his or her disability, a district cannot implement a disciplinary action that constitutes a significant change in placement. If a disabled student’s misconduct is not a manifestation of his or her disability, a district can discipline the student in the same manner that it disciplines non-disabled students for the same misconduct.

Under Section 504, unlike IDEA, a district does not have to provide a disabled student with educational services during the period of time the student is properly removed from school for disciplinary reasons. For more detailed procedures, see the District’s 504 manual at www.highlineschools.org/504.

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