

Student Discipline

ESD 112 holds high expectations for all students and gives all students the opportunity to achieve personal and academic success. The ESD Board focuses on the achievement of every student and intends that this policy and procedure be implemented in a manner that supports a positive school climate, maximizes instructional time, and increases equitable educational opportunities.

The purpose of this policy and accompanying procedure include:

- Engaging with school personnel, students, parents, families and the community in decisions related to the development and implementation of discipline policy and procedures;
- Providing due process for students;
- Implementing culturally responsive discretionary and nondiscretionary discipline policies and procedures that provide opportunities for all students to achieve personal and academic success;
- Providing educational services that students need to complete their education without disruption;
- Administering discretionary discipline in ways that respond to the needs and strengths of students, support students in meeting behavioral expectations and keep students in the ESD program or classroom to the maximum extent possible;
- Ensuring fairness and equity in the administration of discretionary and nondiscretionary discipline; and
- Providing a safe and supportive learning environment for all students and for ESD employees.

Students' Fundamental Rights

ESD 112 will observe students' fundamental rights and will administer discipline in a manner that does not:

1. Unlawfully discriminate against a student on the basis of sex, race, creed, ethnicity, religion, color, national origin, sexual orientation, gender expression, gender identity, homelessness, immigration or citizenship status, the presence of any sensory, mental, or physical disability, neurodivergence, or the use of a trained dog guide or service animal by a person with a disability is prohibited.
2. Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have the student's school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right.
3. Deprive a student of the student's constitutional right to be secure in the student's person, papers, and effects against unreasonable searches and seizures.

4. Unlawfully interfere in a student's pursuit of an education while in the custody of the ESD 112.
5. Deprive a student of the student's rights to an equal educational opportunity, in whole or in part, Educational Service Agency without due process of law.

Student Responsibilities

ESD 112's student discipline policy and procedure are designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of and comply with the policy and procedure, including behavioral expectations that respect the rights and property of others. Students are also expected to pursue the required course of studies. Students and employees are expected to work together to develop a positive climate for learning.

Distribution of Policies and Procedures

ESD 112 will make the current version of this discipline policy, and the procedure that implements it, available to families and the community. ESD will annually provide this policy to ESD 112 employees, students, parents and families, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

ESD 112 will ensure ESD 112 employees who engage in direct service with students are knowledgeable of this student discipline policy and its implementing procedure.

Application

This policy and accompanying procedure will be construed in a manner consistent with Washington law.

Legal References:

RCW 9A.16.100 Use of force on children — Policy — Actions presumed unreasonable
RCW 9A.41.280 Possessing dangerous weapons on school facilities — Penalty — Exceptions
RCW 28A.150.240 Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty
Chapter 28A.225, RCW Compulsory School Attendance and Admission
Chapter 28A.320, RCW Provisions Applicable To All Districts
RCW 28A.400.100 Principals and vice principals — Employment of — Qualifications — Duties
RCW 28A.400.110 Principal to assure appropriate student discipline — Building discipline standards — Classes to improve classroom management skills
Chapter 28A.600 RCW, Students
WAC 392-190-048 Access to course offerings — Student discipline and corrective action
Chapter 392-400, WAC Student Discipline
34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964
42 U.S.C. 2000d et seq. Civil Rights Act of 1964

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