

## Student Discipline

The purpose of this policy and accompanying procedure include:

- Engaging with families and the community and striving to understand and be responsive to cultural context;
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents;
- Administering discipline in ways that respect the needs and strengths of students and keep students in the ESD program or classroom to the maximum extent possible;
- Providing educational services that students need during suspension and expulsion;
- Facilitating collaboration between program or school personnel, students, and parents and thereby supporting successful reentry into the ESD program or classroom following a suspension or expulsion;
- Ensuring fairness, equity, and due process in the administration of discipline;
- Providing every student with the opportunity to achieve personal and academic success; and
- Providing a safe environment for all students and for ESD employees

“Discipline” means any action taken by ESD 112 in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms.

The Superintendent, through ESD program managers, shall establish and make available rules of conduct designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of ESD 112’s rules of conduct, including behavior standards that respect the rights, person, and property of others.

### **Minimizing Exclusion, Engaging with Families, and Supporting Students**

Unless a student’s presence poses an immediate and continuing danger to others or an immediate and continuing threat to the delivery of ESD services, staff members should first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing program exclusion or short-term suspension.

ESD 112 staff should make every reasonable attempt to involve parents and students to resolve behavioral violations. Information ESD 112 provides to parents and students will be in a language the student and parents understand, which may require language assistance.

Students enrolled in ESD programs will not be suspended or expelled unless ESD staff conclude it is necessary for the lawful maintenance and operation of the ESD program, the ability to preserve an educational process and environment that is conducive to learning, and to preserve the health and safety of students or ESD program participants and employees.

If students are expelled from an ESD program that is operated in a school district as part of the requirement to provide a free and appropriate public education, the ESD in consultation with the school district, will to the extent required by law and as is reasonably appropriate, offer educational services to students during a suspension or expulsion.

### **Staff Authority**

Staff are responsible for supervising student behavior where students are enrolled in an ESD program, employing effective program or classroom management methods and enforcing the rules of student conduct in a fair, consistent and non-discriminatory manner.

ESD 112 staff assigned to deliver services in a school district share responsibility to supervise students during the school day with the school district staff. Where students are enrolled in programs that are operated in a school district, ESD staff will follow the policy, procedure and directives of the school district superintendent or building administrator, unless otherwise directed by the ESD Superintendent or an ESD Cabinet Member. The school district retains primary responsibility to engage parents and to administer decisions regarding suspension and expulsion.

### **Fairness in Imposing Discipline**

ESD 112 will observe all of the student's or program participant's constitutional rights. ESD 112 will notify parents as soon as reasonably possible about program exclusions and before administering any suspension or expulsion from an ESD program. Discipline will be carried out in accordance with adopted procedures.

### **Distribution of Policies and Procedures**

ESD 112 will distribute its discipline policy and procedure to students, and/or their parents/guardians. Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings and/or appeals of corrective action. ESD 112 will also strive to provide trainings regarding policies and procedures related to student discipline for appropriate program staff whose duties require them to interact with students and enforce or implement components of student discipline.

In consultation with ESD 112 staff, students, and families, ESD 112 will periodically review and update this policy and its accompanying procedure.

### *Legal References:*

*RCW 9A.16.100 Use of force on children — Policy — Actions presumed unreasonable*

*RCW 9.41.280 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*

*Chapter 392-400, WAC Pupils*

*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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