

**STUDENTS****Students Rights and Responsibilities****1.0 Student Rights**

No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, sexual orientation, previous arrest, previous incarceration or physical, mental or sensory handicap. Subject to reasonable limitations upon the time, place and manner of exercising such rights, and the recognized needs of the educational process, students shall have the right to:

- 1.1 expect the maintenance of high educational standards in the district.
- 1.2 physical safety.
- 1.3 safe buildings and sanitary facilities.
- 1.4 consult with teachers, counselors and administrators and other school personnel.
- 1.5 be informed of rules and regulations as related to the rights and corresponding responsibilities.
- 1.6 be involved in school activities provided they meet the reasonable qualifications of the sponsoring organizations and state guidelines.
- 1.7 expression and assembly consistent with the maintenance of an orderly and efficient educational process and the limitations imposed by law governing obscenity, libel, slander, or harassment.
- 1.8 freedom of speech and press, peaceably assemble, petition the government and its representatives for a redress of grievances, the free exercise of religion, and have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such rights.
- 1.9 expect fair and just treatment from school authorities and freedom from emotional and physical abuse.
- 1.10 be secure in their persons, papers and effects against unreasonable searches and seizures.
- 1.11 an education consistent with the stated district goals.
- 1.12 know the requirements of the course of study and to know on what basis grades will be determined.
- 1.13 citizenship rights as delineated in the United States Constitution and its amendments.
- 1.14 be free from all forms of harassment.

The enumeration of these rights shall not be construed to deny or disparage other rights set forth in the Constitution and the laws of the State of Washington or the rights retained by the people.

**2.0 Student Responsibilities**

- 2.1 pursue their required course of studies.

- 2.2 attend school daily and be on time to class.
- 2.3 be aware of and comply with all rules governing student behavior.
- 2.4 comply with the authority of school district personnel, subject to such disciplinary or other action as determined by school officials.
- 2.5 express their ideas in a respectful manner so as to refrain from harming the reputation of others.
- 2.6 dress in a manner which is not disruptive to the educational process nor threatens the health and safety of others.
- 2.7 conduct themselves in a manner that will not disrupt their education nor disrupt or deprive others of their education.
- 2.8 respect the rights of others.
- 2.9 exercise self-discipline.
- 2.10 follow established procedures in seeking change to policies, rules or regulations which affect them and with which they disagree.
- 2.11 identify themselves, upon request, to any school district personnel or authorities in the school building, on school grounds, at school sponsored events or on school buses.
- 2.12 comply with reasonable requests of District employees while in the performance of their duties.
- 2.13 abstain from the use or possession of tobacco products on school district property or at school sponsored events off campus.
- 2.14 abstain from the use, possession, sale, distribution, trade, and/or transfer of alcohol, illegal and/or other mind altering drugs or substances (or that which purports to be) or paraphernalia. Medicine properly prescribed and used in accordance with the provisions of the Pullman School District Medications Policy/Procedure #3416 is exempt from this provision.
- 2.15 avoid possessing, handling, or transmitting any object that can be reasonably considered a weapon or a hazardous object or material.

### **3.0 Rights, Authority, and Responsibilities of Employees with Respect to Students**

#### **3.1 Rights and Authority**

All school district employees shall have the right to expect students to comply with school rules and maintain good order in the classroom, in the school, on the playgrounds or other common areas of the school, while riding on the school buses, on field trips, and at all school sponsored activities.

All school employees of the school district shall possess the authority to impose discipline upon a student for misconduct which is within the established building procedures.

- 3.1.1 Teachers and all other employees shall be entitled to appropriate assistance and support from building administrators in connection with discipline problems relating to students.

- 3.1.2 An employee may use such action as is necessary for maintenance of order, self protection from attack, and to prevent injury to others. Employees shall enjoy freedom from student and/or parent violence, directed at the school, the students, or the staff.
- 3.1.3 As soon as reasonably possible, teachers will be advised of any complaint from an identifiable source made to the principal or other school district administrator regarding the teachers' discipline of students. Teachers will be given the opportunity to meet with the complaining party in the event that a conference with the complaining party is arranged.
- 3.1.4 After the teacher has attempted one or more alternative forms of corrective action, the teacher is empowered to temporarily exclude from his or her individual classroom and instructional or activity area, any student who creates a disruption of the educational process. No student will be returned until the principal or designee and teacher have conferred. Exceptional misconduct or disruption will result in immediate exclusion from the classroom.
- 3.1.5 In no event, without the consent of the teacher, shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.
- 3.1.6 Teachers may also recommend the suspension or expulsion of students to the proper school authorities.
- 3.1.7 Teachers are entitled to an annual review of the written school district and building rules and guidelines relating to the discipline of students.
- 3.1.8 No form of corporal punishment is sanctioned for use by employees.

### 3.2 **Responsibilities of All Employees**

All school employees of the school district shall possess the responsibility to discipline a student for misconduct within building procedures.

- 3.2.1 Each teacher/staff member shall enforce the prescribed school district rules for student conduct.
- 3.2.2 Each teacher/staff member shall comply with school district and building rules and guidelines relating to the discipline of students.
- 3.2.3 Each teacher/staff member shall maintain good order and discipline of students when students are under their supervision or in their presence.
- 3.2.4 Each teacher assigned to classroom duties shall keep and maintain accurate attendance records.
- 3.2.5 Each teacher shall conduct himself or herself in a professional manner consistent with the Code of Professional Conduct for Educational Practitioners, State of Washington, Chapter 180-87 WAC.

### 3.3 **Principal's Rights, Responsibilities and Authority**

- 3.3.1 Each principal will be promptly advised of any complaint made to any other school district administrator regarding the principal's discipline of students. The principal will

be given the opportunity to meet with the complaining party in the event that a conference with the complaining party is necessary.

- 3.3.2 Subject to the limitations set forth below in connection with the suspension or expulsion of students, all principals shall have the authority to discipline, suspend or emergency expel any student for any violation of rules for student conduct as delegated by the Board of Directors. The principal's action may be subject to review by the Superintendent or his or her designee.
- 3.3.3 Each principal shall observe the rights of students; enforce the rules of student conduct fairly, consistently, and without discrimination; maintain accurate attendance records; remove student from a class session or student activity for sufficient cause; detain a student with due consideration for bus transportation; and impose discipline, suspension, or emergency expulsion when appropriate.
- 3.3.4 Each principal shall be responsible for the enforcement of the prescribed school district rules for student conduct and for compliance with school district and building guidelines relating to the discipline of students.
- 3.3.5 Each principal will develop such building guidelines relating to student discipline as may be appropriate. Such building guidelines shall be consistent with school district rules relating to student discipline.
- 3.3.6 At the beginning of each school year, each principal shall make available to each classified and certificated staff member and students the building regulations which implement this policy; and establish procedures to explain building regulations to parents and guardians.
  - 3.3.6.1 At the time a new student enrolls in a school, each principal shall make available, building regulations which implement this policy.
  - 3.3.6.2 Copies of this policy will be made available to staff members, students and parents or guardians, upon request.
- 3.3.7 Each principal shall provide appropriate assistance and support of teachers in connection with discipline problems relating to students.
- 3.4 When any employee of the district has reasonable cause to believe that a child has died, or has had physical injury or injuries inflicted upon him or her, other than by accidental means, or is found to be suffering from physical neglect, or sexual abuse, the employee shall report such incident to the appropriate authorities. Employees who knowingly fail to do so shall be guilty of a misdemeanor. (Policy #3421 Reporting of Child Abuse and Neglect)
  - 3.4.1 The principal or designee shall be advised of any CPS report prior to the issuance of that report originating from any teacher/staff member under his/her supervision.
- 3.5 Where the primary language of the parent/guardian is other than English the school district will attempt to provide an interpreter to translate for the parent/guardian and school personnel.

#### **4.0 School District Rules for Student Conduct**

The following list of rules is not necessarily comprehensive. Any misbehavior that impacts the health or safety of any individual or group of students, staff, or public or the education of any individual or group of students, is prohibited.

All rules apply to all students when on school grounds and within reasonable proximity to school grounds before regular school hours, during regular school hours and following regular school hours. The rules apply to all students on school grounds at any time when the school is being used by a school group as well as off school grounds on school buses, at a school activity, function, or event. The school rules also apply to all students off of school grounds when the prohibited behavior is a consequence or is directly related to causes or events which originated on school grounds. All rules apply to all students whenever misbehavior has a real and substantial relationship to the lawful maintenance and operation of the school district, including the health and safety of the students, and employees of the school district and what is conducive to the process of learning.

- 4.1 **Attendance and Tardiness:** Students shall be punctual and regular in attendance and are expected to be in class on time. (Pullman School District Policy # 3122)
- 4.2 **Truancy:** Students are expected to be in school each day (See Policy 3122). Students are considered truant when:
  - 4.2.1 absent from school or class without the knowledge and consent of the parent(s) or guardians; or
  - 4.2.2 absent from the school or class once arriving on the campus without the knowledge and consent of the school.

At the elementary and middle school levels, students shall remain on school grounds from scheduled time of arrival to departure, unless officially excused or dismissed.

- 4.3 **Display of Affection (Inappropriate):** Sexually oriented behavior is prohibited.
- 4.4 **Dress and Appearance:** Students are to observe modesty, appropriateness, and neatness in clothing and personal appearance. Students may express individuality in their dress and grooming, within reasonable bounds. Students are not appropriately dressed or groomed if their dress causes a disruptive influence either to themselves or to others while in the pursuit of the educational process, or if their appearance presents a health or safety problem. Students are not permitted to wear clothes, hats, pins, buttons, patches (on backpacks, folders other student possessions), other insignia, or any other article of clothing that is profane, lewd, depict drugs, alcohol or illegal activity, or would cause disruption, or interference with school operation. Each school may specify appropriate dress requirements.
- 4.5 **Disruption of School:** Willful disobedience, defiant actions, or disruptive conduct which materially or substantially interferes with the educational process including causing an incident which affects the school attendance of other students or distributing materials or soliciting for commercial purposes not properly authorized by the principal are prohibited.

Students shall not by use of violence, force, noise, coercion, threat, intimidation, defiant or disrespectful action (including gestures), passive resistance, gang activity (including hand signals) or any other conduct intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school.

Students shall not engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process, or function of the school if such a disruption or obstruction is reasonably certain to result.

Students shall not urge other students to engage in such conduct for the purpose of causing the substantial and material disruption of any lawful mission, process, or function of the school if such a disruptions or obstruction is reasonably certain to result from the urging.

Students shall not possess or use high intensity light sources including laser pointers without authorization of the building administration.

All materials intended to be distributed on school property must be submitted first to the building principal. (Policy 3222, Distribution of Materials)

- 4.6 **Gambling:** Students shall not play cards, dice, or games of chance for money or other things of value.
- 4.7 **Interference with School Authorities:** Interfering with administrators, teachers, or other school staff (employees or volunteers) by force, violence, intimidation, or threat is prohibited.
- 4.8 **Personal Communication Devices:** Students shall not use electronic or personal communication devices during school hours without authorization of the building administration.
- 4.9 **Personal Protection Spray Devices:** It is unlawful for a person under eighteen (18) years old, unless the person is at least fourteen (14) years old and has the written permission of a parent or guardian to do so, to possess a personal protection spray device. Use of such a device in a manner inconsistent with the authorized use of force statue shall cause the imposition of appropriate discipline.
- 4.10 **Profanity, Vulgarity and Lewdness:** Profane, vulgar or lewd language, oral or written, or acts (such as gestures, “mooning”, exposing one’s self, sexual misconduct or indecent liberties) are prohibited.
- 4.11 **Requirements to Identify Self:** Students must, upon request, identify themselves by name to any school district personnel or persons acting on school district authorization or police or fire personnel in the school building, on or adjacent to school grounds, at school-sponsored events, or on school buses.
- 4.12 **Riding School Buses:** Students shall observe all appropriate school district rules while riding buses. An additional consequence may be denial of bus privileges.
- 4.13 **Alteration of Records:** Falsifying, altering or destroying any school record or any communication between home and school is prohibited.
- 4.14 **Cheating:** Students shall follow test procedures or instructions announced by a teacher and shall not:
- 4.14.1 use the work of another person or organization as ones own.
  - 4.14.2 purchase from any source or organization, work to be submitted as ones own.
  - 4.14.3 copy information from another student’s test, examination, theme, book report, term paper, or other assignment.
  - 4.14.4 plagiarize--meaning using another person’s idea, expression, or words without giving the original author credit.
  - 4.14.5 prepare for cheating in advance--including:

- 4.14.5.1 having in their possession an unauthorized copy of a test to be given or having been given by a teacher,
- 4.14.5.2 using an unauthorized test or unauthorized notes during a test or examination.
- 4.15 **Fraud or Theft**: Stealing school or personal property or falsely seeking to obtain such property is prohibited.
- 4.16 **Lying with Malicious Intent, Misrepresentation or Forgery**: Students shall not deliberately make untruthful statements with the knowledge that they are untrue and with the intent to deceive or cause another student harm; aid or abet others in a misrepresentation; lie; or fraudulently use in writing, the name of another person; or falsifying times, dates, grades, addressed, or other data.
- 4.17 **Possession of Stolen Property**: Knowingly receiving, retaining, possessing, concealing, or disposing of stolen property is prohibited.
- 4.18 **Prohibited Acts**: Students are to follow all laws and the following are prohibited:
  - 4.18.1 Arson - the intentional setting of fire
  - 4.18.2 Bomb Threats - telephone or otherwise
  - 4.18.3 Fire Alarms - any false fire alarms (mechanical or voice)
  - 4.18.4 Fire extinguishers - tampering with fire extinguishers
  - 4.18.5 Any other act which violates any City, County, State or Federal law
- 4.19 **Technology Misuse**: Inappropriate use of the internet, email, URLs and other inappropriate technology uses are prohibited.
- 4.20 **Tobacco Products**: Students shall not use or possess any tobacco products at any time while under the jurisdiction of the school including personal vehicles parked on school grounds. Tobacco products will be confiscated.
- 4.21 **Trespass**: Being present in an unauthorized place or refusing to leave when ordered to do so is prohibited.
- 4.22 **Motor Vehicle Use**: Students may drive vehicles to and park at Pullman High School when they agree to follow school parking regulations which may include a consent to vehicle search.
- 4.23 **Use, Possession, Sale, Distribution, Trade and/or Transfer of Alcohol, Drugs or other Intoxicants (or that which purports to be) or Paraphernalia**

Students shall not possess drug paraphernalia, not possess even by consumption, or be under the influence of (however slight) nor sell, distribute, trade or transfer, alcoholic beverages, drugs or other mind-altering intoxicants. Also students shall not possess nor be under the influence of (however slight) nor sell, distribute, trade or transfer substances purporting to be alcoholic beverages, drugs or other intoxicants. (Medicine properly prescribed and used in accordance with the provisions of the Pullman School District Medications Policy/Procedure #3416 is exempt from this provision.)

4.23.1 **Consequences**

- 4.23.1.1 Any violation of the above may result in a long-term suspension, for a first offense.

4.23.2 In all cases parents and/or guardians and a competent law enforcement agency will be contacted. For students who refer themselves, administrative discretion is encouraged and authorized.

4.23.3 **Application for Readmission (Alternatives to Long-Term Suspension)**

4.23.3.1 For first offense for possession and/or under the influence; or

4.23.3.2 for first offense for sale, distribution, trade and/or transfer, at discretion of building administrator;

Parents and/or guardians will be informed that students who have been excluded by a suspension and who wish to re-enter school prior to completion of suspension, may choose to be evaluated by a state-accredited substance abuse treatment agency (Pursuant to WAC 275-19). If the parent and/or guardian and student choose the evaluation option, and agree they will follow the health care recommendations of that agency, a portion (all but 2 days at the middle school and high school) of the suspension may, at the discretion of the school, be eliminated, under appropriate circumstances. Immediate readmission is contingent upon a health evaluation plan including specific day for evaluation, and a recovery plan which is acceptable to school officials. In all cases, if the health care recommendations are not followed the readmission will be revoked and the original penalty will be imposed.

4.23.4 Additionally, an emergency expulsion may be imposed when the student:

4.23.4.1 Presents an immediate and/or continuing danger to other students or school personnel; and/or

4.23.4.2 Poses an immediate and continuing threat of substantial disruption of the educational process by either:

- The continual use of alcohol, illegal and/or other mind-altering drugs or substances, or by
- The possession of a sufficient quantity of alcohol, illegal drugs or intoxicants that such possession could be inferred the student intends to distribute; and/or

4.23.4.3 Presents an immediate and/or continuing danger to himself or herself.

4.24 **Weapons**

4.24.1 **Firearm:** Students shall not carry onto or possess any firearm on school premises, school provided transportation, or areas being used for school activities.

*Consequences: Expulsion for a period of at least one year and firearm confiscated. Students will be immediately referred to the Pullman Police Department and/or Whitman County Juvenile Authorities.*



- 4.24.2 **Other Dangerous Weapons:** Students shall not carry onto or possess on school premises, school provided transportation or areas being used for school activities, any of the following:
- 4.24.2.1 any dangerous weapon as defined in RCW 9.41.250 (such as knives defined as switch blades, butterfly knives, gravity blades, etc. sling shot or "brass knuckles"); or
  - 4.24.2.2 Any device commonly known as "nun-chug-ka-sticks" or any chain that reasonably could be considered a weapon; or
  - 4.24.2.3 Any object designed to be thrown and embedded on impact such as "throwing stars;" or
  - 4.24.2.4 Any air gun, paint ball gun, air pistol or air rifle, designed to propel a BB pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas.

**Consequences:** Any violation of the above may be grounds for expulsion and the item confiscated.

- 4.24.3 **Miscellaneous:** Students shall not knowingly possess, handle or transmit any explosive including fireworks, any flammable device such as a lighter, or any other dangerous object of no reasonable use to a pupil at school. Items will be confiscated in addition to other sanctions.

- 4.25 **Destruction of Property:** Students who cut, deface, injure or vandalize school district property shall be responsible for their actions. Students and parents or guardians shall be liable for damages and will pay restitution.

- 4.26 **Extortion, Blackmail, or Coercion:** Obtaining money or property by violence or threat of violence or causing someone to do something against one's will by force or threat of force is prohibited.

- 4.27 **Fighting, Causing Physical Injury or Assault:** Students shall not engage in mutual physical conflict nor shall students intentionally cause or attempt to cause physical injury or intentionally behave in such a way as could reasonably cause physical injury to any person.

Students shall not instigate conflicts between other students nor fail to disperse (immediately) when instructed.

Reasonable self-defense, nor reasonable action undertaken on the belief that it was necessary to protect some other person who is not an aggressor, is not considered an intentional act under this rule.

However, fighting is not condoned unless no other course of action is available.

- 4.27.1 Assault causing physical harm constitutes exceptional\_misconduct and is subject to long-term suspension or expulsion and possible referral to Pullman Police Department and/or Whitman County Juvenile Authority even for a first offense, in grades 5-12.

- 4.28 **Hazing, Harassment and Bullying:** All hazing, initiations, bullying or acts of intimidation or harassment including indecent liberties, are prohibited.

- 4.29 **Secret Clubs and/or Gangs:** Secret Clubs and/or Gangs are prohibited. Students shall not be permitted to wear clothing, insignia or markings that would identify them as members of such organizations.
- 4.30 **Threats, Verbal Attacks or Slurs (oral or written):** Threats or attacks, racial, ethnic or religious slurs are prohibited.

## 5.0 Consequences

The individual circumstances of the student and the severity of the incident will determine the nature of the consequences for the violation of the rules and regulations of a school. Progressive discipline will generally be followed. The district may resort to immediate suspension or expulsion for severe misconduct even if a first time offense. Determination of the appropriate disciplinary consequences shall be made by the Administrator in charge. Suspensions in particular situations may be reduced through alternative corrective actions. Students who consistently violate various school policies, rules and regulations may be subject to suspension regardless of seriousness of the violation. Sanctions are specifically defined in section 4.0 above. The superintendent is authorized to develop procedures to implement the application of consequences for violation of the rules.

### 5.1 Discipline

- 5.1.1 No form of discipline as defined in procedure shall be enforced in such a manner as to prevent a student from accomplishing specific grade, subject, or graduation requirements.
- 5.1.2 Exceptions may be when a student's attendance and/or participation is related to the instructional objectives of a specific subject or course and the teacher has identified attendance/participation as a basis for grading; and in cases of plagiarism or "cheating".

### 5.2 Detention

### 5.3 Removal

### 5.4 Emergency Removal

### 5.5 Short Term Suspension

### 5.6 Long Term Suspension

### 5.7 Expulsion

### 5.8 Emergency Expulsion

Referral to appropriate law enforcement or legal authorities shall be made when there is a violation of law.

The board authorizes the superintendent to define the above consequences and to develop procedures for notification of students and parents or guardians for appeal rights up to and including the Board of Directors.

## 6.0 School Board Decisions

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

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

## 7.0 Readmission

Any student who has been suspended for any length of time or expelled may make application for readmission at any time. If the student desires to be readmitted to school, the student shall submit a written application to the Superintendent. The application shall include the following:

- 7.1 reasons why the student wants to return and why the student believes that readmission should be considered.
- 7.2 new evidence, if any which supports the student's request.
- 7.3 a statement from the parent or guardian in support of the student's request.
- 7.4 such other information as the student believes will be helpful to the Superintendent in determining whether or not readmission should be granted.

In consultation with the principal of the school from which the student was suspended or expelled, the superintendent will consider the application and, if granted, will establish the conditions for the re-entry and continuation in school.

## 8.0 Sanctions Defined

### 8.1 Discipline

Discipline shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class for a period of time not exceeding the balance of the immediate class period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of the school district. The forms of discipline set forth below are not intended to exclude the imposition of other appropriate forms of disciplinary action. This may include (but is not limited to) school service, detention including Saturday school, parent accompanying student to class parent conference, student-counselor/administrator conference, restitution, loss of eligibility, and removal from class, subject, or activity.

No form of discipline shall be enforced in such a manner as to prevent a student from accomplishing specific grade, subject, or graduation requirements except when the student's attendance and/or participation is related to the instructional objectives of a specific subject or course and that the teacher has identified attendance/participation as a basis for grading; and except in cases of plagiarism or "cheating".

### 8.2 Detention

Teachers and other certificated employees shall have the authority to detain students under their supervision for up to forty minutes after the regular hour for student dismissal with prior parent notification. Detention may be delayed up to the end of the next school day to facilitate family schedules. Notification is the responsibility of the teacher in grades K-5; both the student and teachers in grades 6-8; the student in grades 9-12. Detention will not extend beyond the time of departure of the last bus of the day upon which the student can ride unless prior arrangements have been made with the student's parent or guardian.

### 8.3 Removal

A teacher or administrator 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 care of a school district employee for the balance of such a period.

#### 8.4 Emergency Removal

A student may be removed immediately from a class, subject or activity by a teacher or administrator and sent to the principal or a designated school authority, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The removal shall continue only until the danger of threat ceases or 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.

#### 8.5 Suspension

The Board does not consider suspension to be a desirable sanction. However, suspension may be necessary to protect the learning environment; or suspensions are prescribed in federal or state statutes.

Suspensions shall mean denial of the right of attendance (other than for the balance of the immediate class, for "discipline" purposes) at any single class or any full schedule of subjects or classes, for a stated period of time. Suspension may be assigned in school or out-of school. A suspension also includes a denial of admission or entry upon real and personal property that is owned or controlled by the school district. A suspension also includes denial of participation in all school related activities.

##### 8.5.1 Short-term Suspension

A short-term suspension may be imposed upon a student by a designated school authority. Short-term suspension shall mean an in-school or out-of-school suspension for all or any portion of a calendar day up to and not exceeding ten (10) consecutive school days.

8.5.1.1 No student in grades kindergarten through four (4) shall be subject to short-term suspensions for more than a total of ten (10) school days during any single trimester and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

8.5.1.2 No student in the grade five (5) and above program shall be subjected to short-term suspensions for more than a total of fifteen school days during any single semester.

8.5.1.3 Any student subject to a short-term suspension shall be provided the opportunity and have the responsibility to make up assignments and tests.

8.5.1.4 All short-term suspensions and the reasons for them shall be reported in writing to the Superintendent within twenty-four hours after the imposition of the suspension.

8.5.1.5 No student shall be suspended for unexcused absences unless the school district has first imposed an alternative corrective action after consulting

with parent or guardian and taking appropriate remedial measures to reduce absences.

#### 8.5.2 Long-Term Suspension

A long-term suspension may be imposed by a designated school authority. Long-term suspension shall mean a suspension which is eleven (11) or more school days.

- 8.5.2.1 No student in grade kindergarten through four (4) shall be subject to long-term suspension
- 8.5.2.2 No single long-term suspension shall be imposed upon a student in grades five (5) through twelve in a manner that causes the student to lose academic grades or credit in excess of one semester during the same school year. The teacher of a student subjected to long-term suspension is not required to provide and/or accept work the student missed during the suspension period. The teachers of a student subjected to a long-term suspension are encouraged to provide assignments to, and accept work from the student during the suspension period.
- 8.5.2.3 All long-term suspensions and the reasons for them shall be reported in writing to the Superintendent within twenty-four hours after the imposition of the suspension.
- 8.5.2.4 Except in cases involving exceptional misconduct, as a general rule, no student shall receive long-term suspension unless another form of corrective action has previously been imposed.
- 8.5.2.5 No student shall be suspended, for unexcused absences unless the school district has first imposed an alternative corrective action after consulting with parent or guardian and taking appropriate remedial measures to reduce absences.
- 8.5.2.6 Any student who has been issued a long-term suspension shall be allowed to make application for readmission at any time.

#### 8.5.3 Expulsion

The Board does not consider expulsion to be a desirable sanction. However, expulsion may be necessary to protect the learning environment; or expulsion is prescribed in federal or state statutes.

Expulsion shall mean the denial of the right of attendance at any single class or any full schedule of subjects or classes for an indefinite time period. An expulsion includes a denial of admission to or entry upon real and personal property that is owned or controlled by the school district. An expulsion also includes denial of participation in all school activities. The Board of Directors delegates to the Superintendent or designee the authority to expel students.

- 8.5.3.1 The nature and circumstances of the violation must reasonably warrant the harshness of expulsion.
- 8.5.3.2 No student shall be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed

or unless there is evidence to believe that other forms of corrective action or punishment would fail if employed.

8.5.3.3 No student subject to compulsory attendance shall be expelled by reason, in whole or part, of for one or more unexcused absences unless the school district has first imposed an alternative corrective action after consulting with parent or guardian and taking appropriate remedial measures to reduce absences.

8.5.3.4 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 acting pursuant to Chapter 13.04 RCW in order that such authorities may address the student's educational needs.

8.5.3.5 Any student who has been expelled shall be allowed to make application for readmission at any time.

#### 8.5.4 Emergency Expulsion

Emergency expulsion shall mean the immediate denial of the right of school attendance or participation in any school activity for a student prior to the opportunity for a hearing. An expulsion includes a denial of admission to or entry upon real and personal property that is owned or controlled by the school district.

8.5.4.1 An emergency expulsion may be imposed only if the expelling authority has good and sufficient reason to believe that the student is an immediate and continuing danger to himself or herself, other students or school personnel or an immediate and continuing threat of substantial disruption of the educational process.

8.5.4.2 The emergency expulsion shall continue until the student is reinstated by the expelling authority or until a hearing is held and a final determination reached regarding the recommended sanction.

## 9.0 **Suspension Procedures**

### 9.1 Short-Term Suspension Procedures

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

9.1.1 An oral or written notice of the alleged misconduct and violations of school district rules shall be provided to the student;

9.1.2 An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student;

9.1.3 An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student; and

9.1.4 The student shall be provided the opportunity to present his or her explanation.

9.1.5 In the event a short-term suspension will exceed one day the parent or guardian of the student shall be notified orally and/or in writing of the reason for the student's suspension

and its duration. The notice shall also inform the parent or guardian of the right to an informal conference and the possibility the suspension may be reduced as a result of such conference.

## 9.2 Long-Term Suspension Procedure

No long-term suspension may be imposed on a student until written notice has been delivered in accordance with the following requirements:

- 9.2.1 School district personnel authorized to suspend students shall be responsible for the preparation and delivery of notices of suspension.
- 9.2.2 Written notice of the suspension shall be delivered to the student and to his or her parent or guardian by certified mail or in person. Such notice shall:
  - 9.2.2.1 be provided in the predominant language of a student and/or a parent or guardian who predominantly speaks a language other than English, to the extent feasible;
  - 9.2.2.2 specify the misconduct and the school district rule(s) that have been violated;
  - 9.2.2.3 set forth the corrective action proposed;
  - 9.2.2.4 set forth the right of student and/or the parent or guardian to a hearing;
  - 9.2.2.5 state that a written request for a hearing must be received by the designated school authority on or before the expiration of the third school business day *after* the receipt of the notice. The right to hearing may be deemed waived, and the proposed sanction imposed if such a request is not received within the prescribed period of time.
- 9.2.3 The student and/or the parent or guardian shall reply in writing to the notice within three school business days of receipt, indicating whether a hearing will be requested.
- 9.2.4 If such a reply is not received within the three-school-business-day period, the student and the parent or guardian shall be deemed to have waived the right to a hearing and the proposed sanction shall take effect.

## 9.3 Expulsion Procedures

Prior to an expulsion of a student, written notice shall be delivered in accordance with the following requirements:

- 9.3.1 School district personnel authorized to expel students shall be responsible for the preparation and delivery of notice of expulsion.
- 9.3.2 Written notice of the expulsion shall be delivered to the student and to his or her parent or guardian by certified mail or in person. Such notice shall:
  - 9.3.2.1 be provided in the predominant language of a student and /or parent or guardian who predominantly speaks a language other than English, to the extent feasible;

- 9.3.2.2 specify the misconduct and the school district rule(s) that have been violated;
- 9.3.2.3 set forth the corrective action proposed;
- 9.3.2.4 set forth the right of student and/or the parent or guardian to a hearing;
- 9.3.2.5 state that a written request for a hearing must be received by the designated school authority on or before the expiration of the third school business day after the receipt of the notice. The right to hearing may be deemed waived, and the proposed sanction imposed if such a request is not received within the prescribed period of time.

9.3.3 The student and/or the parent or guardian shall reply in writing to the notice within three school business days of receipt, indicating whether a hearing will be requested.

9.3.4 If such a reply is not received within the three-school-business-day period, the student and the parent or guardian shall be deemed to have waived the right to a hearing and the proposed sanction shall take effect

#### 9.4 Emergency Expulsion Procedures

If an emergency expulsion has been imposed on a student, the notice requirements set forth in shall apply as follows:

9.4.1 The written notice of emergency expulsion shall be prepared and delivered to the student and parent or guardian within twenty-four hours of such expulsion. In addition, reasonable attempts shall be made to notify the student and parent or guardian by telephone or in person as soon as reasonably possible. Provided, that if the emergency expulsion is based upon a failure to comply with the State immunization law, the notice must be received by the student's parent or guardian prior to the imposition of the emergency expulsion.

9.4.2 The student and parent or guardian shall have ten school business days in which to reply in writing to the notice of opportunity for a hearing.

### **10.0 Appeal Rights and Hearing Procedure**

#### 10.1 Discipline and Short-Term Suspension

10.1.1 Effort shall be made by administrators and faculty members to resolve complaints through effective utilization of school district resources in cooperation with the student and his parent or guardian.

10.1.1.1 Any grievance of discipline or short-term suspension shall be appealed to the principal within five (5) school business days.

10.1.2 Any student, parent or guardian who may be aggrieved following the informal conference with the principal may, within two (2) school business days, present a written grievance to the Superintendent/designee.

10.1.3 If the grievance is not resolved, the student, parent or guardian, may upon two (2) school business days prior notice, present a written grievance to the Board of Directors for the Board's next regular meeting.



- 10.1.4 Grievances before the Board of Directors shall be heard in a closed meeting.
- 10.1.5 The Board of Directors shall notify the student and the student's parent or guardian in writing of its decision within ten school business days following the meeting.
- 10.1.6 The disciplinary action or short-term suspension shall continue unless the principal or designee elects to postpone such action.

## 10.2 Long-term Suspensions, Expulsions and Emergency Expulsions

Every effort shall be made by administrators and faculty members to resolve problems through effective utilization of school district resources in cooperation with the student and his parent or guardian. A student shall be given an opportunity to contest the facts that may lead to disciplinary action.

Upon the timely receipt of a written request for a hearing, the school district shall schedule the hearing to commence within three school business days, unless an emergency expulsion has been imposed on the student, in which event the hearing shall be scheduled to commence as soon as reasonably possible, and in no case later than the third school business day after receipt of the request. The student and parent or guardian shall promptly be informed of the time, date and place of the hearing.

- 10.2.1 The hearing shall be closed and be conducted by a hearing officer designated for such purposes by the Superintendent. The hearing officer shall not be a witness and shall determine the facts of each case solely on the evidence presented at the hearing.
- 10.2.2 The student and parent or guardian shall be permitted to inspect in advance of such hearing any documentary and physical evidence that the school district intends to introduce at the hearing. The designated school authority assigned to present the district's case shall likewise be permitted to inspect documentary and physical evidence that the student and parent or guardian intend to introduce at such hearing.
- 10.2.3 At any hearing conducted in accordance with this procedure, the student shall have the following rights:
  - 10.2.3.1 The student may be represented by counsel, when prior notice is given at the request for the hearing.
  - 10.2.3.2 The student shall have the opportunity to present his or her explanation.
  - 10.2.3.3 The student shall have the opportunity to make a relevant showing by way of witnesses and the introduction of such documentary and physical evidence as he or she desires.
  - 10.2.3.4 The student shall have the opportunity to cross-examine witnesses presented by the district unless a district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
    - 10.2.3.4.1 that the district made a reasonable effort to produce the witness and is unable to do so; or

10.2.3.4.2 that it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of the retaliation against the student if he or she appears as a witness.

10.2.4 The district shall make a voice recording of the hearing.

10.2.5 A written decision setting forth facts, conclusions and the nature and duration of the suspension or expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student and parent or guardian. If a student is in an emergency expulsion status, the decision shall be communicated to the student's legal counsel, or if none, the student and parent or guardian.

10.2.6 If the hearing officer imposes a sanction of a long-term suspension or expulsion, the student or the student's parents or guardian shall have the right to appeal such decision to the Board of Directors by filing a written notice of appeal at the Office of the Superintendent within three school business days after the date of receipt of the decision.

10.2.7 If a timely appeal is taken to the Board of Directors, the imposition of the sanction shall be imposed for up to ten (10) school business days or until a decision is rendered by the board, whichever is sooner

10.2.8 If the decision includes a conclusion that the student continues to pose an immediate and continuing danger to himself or herself, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school the status of emergency expulsion will continue in effect.

## **11.0 Function of Hearing Officer**

11.1 Upon the receipt of notice of appeal the Superintendent shall select a hearing officer.

11.2 Upon the receipt of notice of appeal, the Superintendent shall select the time, date and place for the hearing.

11.3 The hearing shall be held within three school business days following the date the request for hearing is received. The date, time and place shall be communicated immediately by the secretary to the Superintendent to the person making the request for hearing. The hearing shall be closed.

11.4 The secretary to the Superintendent shall confirm the time, date and place of hearing in writing to the persons making the request for the hearing by mailing a notice to such persons by certified mail, return receipt requested forthwith.

11.5 The secretary to the Superintendent shall notify immediately the appropriate school authorities of the date, time and place set for the hearing.

11.6 The hearing officer has the authority to consider each case in regard to:

11.6.1 the facts which lead to the disciplinary action.

11.6.2 the appropriateness of the consequences imposed by a disciplinary authority.

11.7 The hearing officer shall have authority to maintain decorum during the hearing.

- 11.8 All hearings shall be closed and be on an informal basis except that the hearing officer may, at his or her discretion, require testimony to be taken under oath or affirmation. The rules of evidence in cases of common law shall not be applicable. The hearing officer shall make all rulings as to whether evidence, oral or written, is admissible and may consult with the parties before him or her before making such rulings. The relevancy and materiality of any evidence and the weight to be given to it shall be determined solely by the hearing officer. If challenges are made to the reception of evidence, the hearing officer shall make any and all rulings concerning whether or not he or she will listen to the evidence that is being challenged. He or she may set such limits of time upon the presentation of evidence, or upon argument to the hearing officer or upon any other aspect of the hearing as is appropriate under the circumstances. He or she may consult from time to time with parties before him or her prior to making any ruling.
- 11.9 The school authority shall proceed first by presenting to the hearing officer a specification of the reason(s) why suspension or expulsion from school has been recommended. The school authority shall call such witnesses and present such documentary or other evidence as shall be necessary to fully apprise the hearing officer of all the reasons in support of the school authority's recommendation.
- 11.10 All witnesses called by the school authority shall be subject to cross-examination by the student or his or her parents subject to such limitations as the hearing officer may impose and subject to the provisions of 3.2.3.4 above. Such cross-examination shall immediately follow any direct testimony given by the witness.
- 11.11 Following the reception of the evidence presented by the school authority, the student, his or her parents, or guardian may present to the hearing officer any witnesses and documentary or other evidence in opposition to the school authority's recommendation. Should there be oral testimony, the school authority shall have the opportunity for cross-examination, subject to such limitations as the hearing officer may impose.
- 11.12 Following the close of the evidence presented by the student or his or her parents, the school authority may offer evidence in rebuttal subject to those procedures set forth above.
- 11.13 The hearing officer may, if he or she chooses, allow the school authority and the student, his or her parents, or guardian each a certain specified period of time within which to summarize the evidence presented by each of them and to argue as to whether or not the school authority recommendation should be carried out. The length of time for any argument shall be the same for each side.
- 11.14 For good cause, hearings may be continued for a reasonable time by the hearing officer. Notice of any delays or changes in advance of the first date set for the hearing, shall be transmitted to the school authority and to the student, his or her parents or guardian return receipt requested. If a hearing is continued during its course, no further notice need be given other than an announcement of the date of the hearing continuation.
- 11.15 A voice recording shall be made of the hearing.
- 11.16 After due consideration, the hearing officer shall arrive at a decision. This decision shall be sent by registered mail to the persons requesting the hearing.
- 11.16.1 The sanction shall take effect immediately upon the hearing officer's decision.

## **12.0 Appeal to the Board of Directors**

If timely appeal is taken to the Board of Directors, the Board shall schedule and hold a closed meeting to review the matter within ten (10) school business days after receipt of a notice of appeal. The student and

parent or guardian, or legal counsel, shall be granted the opportunity to present such witnesses and testimony, as the Board deems reasonable. Board members who may have acted as a witness in a hearing are excluded from hearing the appeal. Should there not be a quorum of the board to hear the appeal, the superintendent will ensure a proper appeal. Prior to adjournment, the Board shall agree to one of the following procedures.

- 12.1 Study the hearing record or other material submitted and render its decision within ten (10) school business days; or
- 12.2 Schedule and hold a special meeting to hear further arguments based on the record and render its decision within fifteen (15) school business days; or
- 12.3 Hear and try the case de novo (new) within ten (10) school business days.
  - 12.3.1 In the event the board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:
    - 12.3.1.1 The student and his or her parent(s) or guardian(s) shall have the right to:
      - 12.3.1.1.2 inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing.
      - 12.3.1.1.3 question and confront witnesses, unless a district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the district must at a minimum establish either.
    - 12.3.2 That the district made a reasonable effort to produce the witness and is unable to do so; or
    - 12.3.3 That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness.
      - 12.3.3.1 present his or her explanation of the alleged misconduct, and
      - 12.3.3.2 make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
    - 12.3.4 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) intent to introduce at the hearing.
    - 12.3.5 Board members may question the student, witness(es) or school authority.
    - 12.3.6 A voice recording of the hearing shall be made.
  - 12.4 If a timely appeal is taken to the board of directors the suspension or expulsion may be imposed during the appeal period subject to the following conditions and limitations:
    - 12.4.1 A long-term suspension or non-emergency expulsion may be imposed during the appeal period for no more than ten consecutive school days or until the appeal is decided, whichever is the shortest period;

- 12.4.2 An emergency expulsion may be continued during the appeal period for so long as the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school; and
- 12.5 Any days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.

### **13.0 Disciplinary Procedures for Students Who Are Disabled**

#### **13.1 Discipline**

The student who is disabled is subject to the same treatment under the Pullman School District's Statement of Students' Rights and Responsibilities as the non-disabled student with the modifications indicated below.

#### **13.2 Emergency Removal and Short-Term Suspensions**

Procedures outlined in the Statement of Students' Rights and Responsibilities are applicable when the action proposed or taken does not exceed the short-term timelines in the Statement of Students' Rights and Responsibilities given that a significant change in a Special Education student's placement does not occur.

#### **13.3 Long-Term Suspension or Expulsion**

Special education students are not to be improperly excluded from school for disciplinary reasons. In order to accomplish this, the district shall comply with the following procedures:

- 13.3.1 prior to a disciplinary action which constitutes a significant change of placement in a disabled student's educational placement, a multi-disciplinary team (MDT) will determine whether the misconduct for which the student is being excluded from school is a manifestation of the disability and/or due to an inappropriate placement;
  - 13.3.2 if the misconduct is a manifestation of the disability and/or due to an inappropriate placement, the proposed disciplinary action, resulting in a significant change of placement, may not be implemented. Instead, the district must convene an IEP meeting for the purposes of developing an appropriate program. The district has a continuing responsibility to provide special education to the student;
  - 13.3.3 if the misconduct is neither a manifestation of the disability nor due to an inappropriate placement, the proposed disciplinary action may be implemented. The district must convene an IEP meeting for the purposes of developing an alternative educational program for the student during the long-term suspension or expulsion;
  - 13.3.4 Parents will be provided with written notice regarding the MDT decision as to whether the misconduct for which the student is being excluded from school is a manifestation of the disability or due to an inappropriate placement.
- 13.4 In determining whether misconduct is a manifestation of the disability, the MDT shall base decisions on evaluation data related to behavior which must be recent enough to afford an understanding of the student's current behavior. A team may not make a determination that misconduct is or is not a manifestation of the disability on the basis of a student's special education



Fraud, Theft*	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X
Gambling	X						X	X	X	X			X	X	X	X		
Hazing/ Harassment*	X	X	X	X	X	X		X	X	X	X		X	X	X	X		
Interference with school Authorities*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lying with malicious intent	X	X	X				X	X	X				X	X	X			
Misuse of technology*	X	X	X	X	X		X	X	X	X	X		X	X	X	X	X	
Electronic & personal comm. devices	X	X					X	X	X				X	X	X			
	D	D	S	L	E	E	D	D	ST	L	E	E	DI	D	S	L	E	E
	I	E	T	T	X	E	I	E		T	X	E		E	T	T	X	E
Personal attacks, slurs, profanity or vulgarity Personal	X	X	X	X	X	X	X	X	X	X		X		X	X	X	X	X
Displays of Affection	X							X	X	X			X	X	X	X		
Personal spray protection devices*							X	X	X	X			X	X	X	X		
Possession of stolen property*	X	X						X	X	X				X	X	X		
Prohibited acts*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Failure to identify self	X	X	X	X	X	X	X	X	X	X			X	X	X	X		
Bus Misconduct	X	X	X	X	X	X	X	X	X	X			X	X	X	X		
Secret clubs and/or gangs	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X
Tobacco	X	X	X	X	X				X	X			X	X	X	X		
Trespass	X	X	X	X	X		X	X	X	X			X	X	X	X		
Truancy*	X	X						X	X	X			X	X	X	X		
Misuse of Motor Vehicle Privileges													X	X	X	X		

Use, possession, sale, distrib., trade and/or transfer of alcohol or other intoxicants, or paraphernalia*	X	X	X	X	X	X			X	X	X	X					X	X	X
Weapons*	X	X	X	X	X	X			X	X	X	X						X	X

Approved: 6/00 LT  
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