

## RIGHTS AND RESPONSIBILITIES

The Aberdeen School District will assure a positive, progressive learning environment in which all individuals develop their potential to succeed.

Each year, the superintendent shall develop and make available to all students, their parents and staff handbooks pertaining to student rights, conduct, corrective actions and punishment. Such statements shall be developed with the participation of parents and the community. The school principal and staff shall confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. They shall also confer annually to establish criteria for determining when certificated employees must complete classes to improve classroom management skills.

All students who attend the district's schools shall comply with the written policies, rules and regulations of the schools, shall pursue the required course of studies, and shall submit to the authority of staff of the schools, subject to such corrective action or punishment as the school officials shall determine.

Legal References:	RCW 28A.600.010	Government of schools, pupils, employees, rules and regulations for — Due process guarantees — Enforcement
	28A.600.020	Government of schools, pupils, employees optimum learning atmosphere
	28A.600.040	Pupils to comply with rules & regulations
	28A.400.110	Principal to assure appropriate discipline
	28A.150.240	Basic Education Act of 1977 — Certificated teaching and administrative staff as accountable for class room teaching — Scope — Responsibilities — Penalty
	28A.405.060	Course of study and regulations Enforcement — Withholding salary warrant for failure
	WAC 392-400-225	School district rules defining misconduct — Distribution of rules
	392-168	Citizen Complaint Procedure for Certain Categorical Federal Programs

## Student Rights and Responsibilities

### Corrective Actions – General

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

#### A. Definition of Terms

1. **School Discipline:** Any form of corrective action other than suspension or expulsion. May include the exclusion of a student from a class.
  - a. **Detention:** Detaining a student during or after school by a school employee.
  - b. **Removal - Non Emergency:** Excluding a student from a class or activity by a teacher or administrator.
  - c. **Removal - Emergency:** Excluding a student from the classroom if there is good and sufficient reason to believe that the student's presence in the immediate area poses an immediate or substantial danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.
  - d. **School Service:** Performing jobs around the school such as picking up litter, cleaning desks, working with a custodian, removing graffiti, etc.
2. **Exceptional Misconduct:** A violation of District rules, other than absenteeism, that is so serious in nature that short-term suspension, long-term suspension or expulsion may be imposed without prior alternative corrective action or consequences.
3. **In-School Suspension/Time-out:** Suspending a student from class or school activities but allowing the student to serve the suspension under supervision at school.
4. **Short-Term Suspension:** Suspending a student for any portion of a calendar day up to, but not exceeding, ten (10) consecutive school days.

5. Long-Term Suspension: Suspending a student for a period of time exceeding ten (10) consecutive school days up to or through the end of a semester (90 days).
6. Expulsion: Denying the right of attendance at any single class or full schedule of subjects for an indefinite time period. An expulsion may include a denial of admission to or entry upon District property.
7. Emergency Expulsion: Denying immediately the right of school attendance prior to the opportunity for a hearing if there is good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process.
8. Grievance: An informal conference with the principal/designee and the student and/or parent(s) or guardian(s) involved.
9. Appeal Hearing: A formal meeting conducted by a hearing officer designated by the superintendent.
10. Appeal: Requesting that the results of the hearing imposing a long-term suspension, expulsion, or emergency expulsion be reviewed by the Board of Directors or a district disciplinary appeal council.
11. Readmission Conference: A meeting scheduled with the District Hearing Officer for the purpose of requesting readmission to the district's schools and discussing the conditions for a student reentering the district following a long-term suspension, expulsion or emergency expulsion.
12. School Days: Days which students are required to be in school as per the Board of Directors' adopted school calendar.
13. School Business Days: Days which the District Office is open to the public for conducting business.
13. Restitution: To give something back or "make right" that which has been damaged, lost or taken away; reimbursement.
14. Loss of Eligibility: To be denied eligibility or the right to participate in a school or district activity or represent the district on a team.
15. School Agency Referral: To be referred to a school agency such as a District Prevention Specialist, School Psychologist, School Resource Officer, Truancy Board, Counselor, etc.
16. Non-School Agency Referral: To be referred to a non-school agency such as Law Enforcement Agencies, Court of Law, Fire Marshall, etc.

## B. School Responsibilities

### 1. Rules:

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

### 2. Records:

Copies of any suspension letters, including in-school suspensions, should be placed in the student's cumulative file.

### 3. Annual Discipline Review:

a. A committee of certificated staff, classified staff, and the principal or designee shall meet annually for the purpose of reviewing school disciplinary rules, procedures and disciplinary data. The review is to be conducted in the late spring for the following year.

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

## C. General Nature and Range of Sanctions

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

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

### 2. The requirement of fairness in disciplinary actions necessitates some uniform application of sanctions. The following chart provides a general range for various sanctions. Not every situation can be anticipated and each must be judged on an individual basis.

D. Guidelines for District Sanctions - *RANGE OF SANCTIONS CHART*




This is a sanction guideline. It shows a “range” of sanction options. Administrators and hearing officers may grant exceptions in cases involving extenuating or exceptional circumstances, or after considering the background of the individual student and the nature and circumstances of the violation. Items identified as “Exceptional Misconduct” are marked with an Asterisk (\*).

Offense	School Discipline	Short-Term Suspension (1-10)	Long-Term Suspension (11-90)	Expulsion/ Emergency Expulsion	Notification of Non-School Agency
*1. Arson: Intentional setting of a fire or causing an explosion.					
*2. Assault/Battery: Physical threats or violence					
*3. Burglary: Entering or remaining unlawfully in a District building with intent to commit a crime.					
4. Cheating: For example, copying, copyright violation, computer software violations, plagiarism, using "crib notes," falsifying records or scores, etc.					
*5. Criminal Acts as Defined by Law as a felony or gross misdemeanor: Refer to State and Federal criminal codes and Washington Administrative Code					
6. Cumulative Violations: The frequency with which students violate District or school policies, rules, and regulations may be of equal or greater concern than single violations. The cumulative effects of these forms of discipline.					
*7. Defiance of School Authority (Willful Disobedience): Refusal to obey reasonable directions or requests of any staff member, including volunteers, aides, substitutes, secretaries, custodians, food service workers, bus drivers, etc.					

<p>*8. Disruptive Behavior: Conduct which substantially or materially interferes with the educational process, e.g. disruptive behavior in school, assemblies, school activities, classrooms or on school transportation.</p>					
<p>*9. Extortion, Intimidation, Blackmail, Coercion, Threats: Obtaining money or property by violence or threat of violence. Forcing or attempting to force another to do something against his or her will by threat of force.</p>					
<p>*10. Fighting: The act of quarreling involving bodily contact.</p>					
<p>*11. Forgery: Fraudulently using in writing the name of another person, or falsifying times, dates, grades, addresses, or other data.</p>					
<p>12. Gang Activity [See RCW 28A.600.455] A student is a member of a gang and knowingly engages in gang activity on school grounds.</p>					
<p>*13. Harassment: Intimidating or harassing another person because of that person's race, color, sex, religious beliefs, sexual orientation, ancestry, national origin, or for any other reason. A threat to cause injury, property damage, or physical confinement or restraint of the person threatened, or any other act intended to substantially harm the physical or mental health of the person threatened.</p>					
<p>*14. Illegal Substances: Possessing, using, selling, distributing, or being under the influence of alcohol, drugs, inhalants, or controlled substances, or in possession of drug paraphernalia.</p>					
<p>15. Inappropriate Display of Affection: Inappropriate sexually oriented actions at school or school-sponsored activities.</p>					
<p>16. Inappropriate Dress: Dress or appearance that is either obscene, presents a health or safety problem, causes a disruption of the educational process, or otherwise violates the District dress code.</p>					
<p>*17. Interference with or Intimidation of School Authorities: Interfering with the discharge of the official duties of district personnel by intimidation, force, violence, or passive resistance; failure to give name or the correct name.</p>					

Offense	School Discipline	Short-term Suspension	Long-term Suspension	Expulsion/ Emerg.Exp.	Notification of Agency
*18. Lewd Conduct/Indecent Exposure: Behavior that is indecent or obscene, e.g., mooning, exposing oneself, sexual misconduct, etc.					
*19. Malicious Mischief: Intentionally causing damage to any equipment or property, creating graffiti, or damaging computer systems or the computer network.					
*20. Possession of Stolen Property: Knowingly receiving, retaining, possessing, concealing, or disposing of stolen property.					
*21. Robbery: Taking another's property by force or threat of force.					
22. Tardiness: Being late to class or school without a valid excuse					
*23. Theft: Stealing					
*24. Tobacco - Use or possession: Use or possession of any tobacco products including storing or maintaining such products in lockers or other property of the District or at school-sponsored events.					
25. Transportation Sanctions: See Section VIII – Transportation Rules and Sanctions					
*26. Trespass: Entering or remaining unlawfully in school buildings, property, grounds, or at school-sponsored events or refusing to leave when asked to do so.					
27. Truancy: Unexcused absence(s)					

Offense	School Discipline	Short-term Suspension	Long-term Suspension	Expulsion/ Emerg.Exp.	Notification of Agency
28. Use of Obscenity or Profanity: (Oral, written, gestures, or on computer networks)	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]
*29. Vandalism: Destroying or damaging property, e.g. breaking windows, graffiti, defacing desks or lockers, damaging or destroying other peoples' belongings, interfering with or damaging electronic information systems, etc.	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]
*30. Weapons and Explosives: The District follows state guidelines for weapons violations. Possessing or using weapons, explosives, or any other items capable of causing bodily harm, including "fake" weapons that are represented as "real" weapons.	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]	[Light Gray]

 **K-5**    
  **6-8**    
  **9-12**  
 Sanction Grade Bands



## E. Discipline

Discipline consists of forms of corrective action other than suspension and expulsion. Discipline may include exclusion of a student from a classroom by a teacher or the principal's designee for the remainder of the immediate class or activity, or up to the following two days, or until the principal or designee and teacher have conferred provided that the student is in the custody of a school district employee during the disciplinary period. Discipline may also mean the exclusion of a student from other types of activities conducted by or in behalf of the District.

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

### 1. Detention

Teachers and other school employees have the authority to detain students under their supervision with prior parental notification or notification to a student's guardian. Detention will not extend past the departure of the last bus that the student can ride unless prior arrangements have been made with the student's parent(s) or guardian(s).

### 2. Removal - Non-Emergency

A teacher or principal/designee may remove a student from a class or activity for the balance of the immediate class or activity, or up to the following two days, or until the principal or designee and teacher have conferred, provided that the student is in the custody of a District employee during the disciplinary period.

A teacher must have attempted one or more corrective actions before the student is removed from a class or activity.

### 3. Removal - Emergency

A student may be removed immediately from a class, subject, or activity by a teacher or an administrator and sent to the building principal or designee, provided that the teacher or administrator has a good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process. Removal will continue only until the danger or threat ceases or the principal or designee acts to impose a sanction. The principal or designee will meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such a meeting be delayed beyond the beginning of the next school day. Prior to, or at the time any student is returned to the class or activity, the principal or designee must notify the teacher or administrator who removed the student from the class, subject, or activity of the action that was taken or initiated.

### 4. Corporal Punishment

Corporal punishment is not authorized as a means of disciplining students in the District.

#### 5. School Service

School service is a means of discipline in which a student works around the school doing jobs such as picking up litter, washing desks, washing cafeteria tables, removing graffiti, etc.

#### F. Exceptional Misconduct

If a violation of the District rules of student conduct constitutes “exceptional misconduct,” a short-term suspension or long-term suspension may be imposed without prior alternative corrective action or consequences. Administrators and hearing officers may grant exceptions to the short-term suspension or, long-term suspension of students who are guilty of "exceptional misconduct" in cases involving extenuating and/or exceptional circumstances.

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

1. Possession, use or being under the influence of illegal substances; sale or delivery of any controlled substance not prescribed by a physician; possession of drug paraphernalia.
2. Consumption, possession, sale, delivery, or being under the influence of alcoholic beverages; presence on school property or at a school sponsored activity following the consumption or use of an alcoholic beverage or controlled substance.
3. Use or possession of tobacco.
4. Profane or vulgar language directed to and in the presence of a staff member.
5. Commission of any criminal act classified as a felony or gross misdemeanor under the laws of the State of Washington, including but not limited to, the following: arson, assault/battery, harassment, possession of a weapon, theft.
6. Any behavior that materially or substantially disrupts or interferes with the educational process.

#### G. Short-Term Suspension

A short-term suspension occurs when a student is denied attendance (other than for the balance of the immediate class period for “discipline” purposes) at any single subject or class, or at any full schedule of subjects or classes, for any portion of a calendar day up to and not exceeding ten (10) consecutive school days. It shall also mean that the student shall be denied participation in, or attendance at, any school-sponsored activities, either in the District or activities hosted by another school district for students, from the time that the student is placed on suspension until his or her suspension has been completed. A short-term suspension shall also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the District. Each principal or

designee shall have the authority to impose short-term suspension according to the following procedures.

1. Implementation Procedures:

- a. The principal/designee will determine whether a short-term suspension is warranted.
- b. In kindergarten through grade 4 short-term suspensions cannot exceed five (5) school days in a single semester or trimester and no loss of academic grades or credit shall be imposed by reason of the suspension of such student. Grades 5-12 suspensions cannot exceed fifteen (15) school days in a single semester or ten (10) school days during any single trimester.
- c. The principal/designee will take the following actions:
  - 1) Inform the student orally or by written notice of the alleged misconduct and rule violated, of the evidence against him or her, and the number of days of the short-term suspension.
  - 2) Provide the student an opportunity to explain his or her behavior.
  - 3) If the short-term suspension is to be for more than one day, provide the student and his/her parent(s) or guardian(s), or an adult student:
    - a) In writing, the reason for and the length of the short-term suspension.
    - b) In writing, information about the informal grievance procedure and information about a possible reduction in the length of the short-term suspension resulting from the grievance procedure.
  - 4) Report the short-term suspension in writing, including the reasons for the short-term suspension, to the District Hearing Officer (or superintendent), within twenty-four (24) hours.
  - 5) Provide the student with an opportunity to make up tests or assignments, if the missed tests or assignments may have a substantial effect on grades or course credits.

2. Grievances - Short-Term Suspension

- a. Any student, parent or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or his or her designee 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. During such conference, the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved.

- b. Subsequent to the building level grievance meeting, the student, parent or guardian upon two (2) school business days prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his or her designee.
- c. If the grievance is not resolved, the student, parent, or guardian, upon two (2) school business days prior notice, shall have the right to present a written grievance to the Board of Directors for consideration at the next regular Board meeting. Upon review, the Board may request additional information and/or argument for consideration, either in writing or to be presented orally to the Board. The Board shall notify the student, parent, or guardian of its response to the grievance with ten (10) school business days after the date of the meeting.
- d. The short-term suspension shall continue, notwithstanding the implementation of the grievance procedure set forth above, unless the principal or his or her designee elects to postpone such action.

#### H. Long-Term Suspension

A long-term suspension occurs when a student is denied class attendance for a definite time in excess of ten (10) school days, and up to or through the end of a semester. It shall also mean that the student shall be denied participation in, or attendance at, any school-sponsored activities, either in the district or activities hosted by another school district for District students, from the time that the student is placed on long-term suspension until his or her long-term suspension has been completed. A long-term suspension shall also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the District. Each principal or designee shall have the authority to impose a long-term suspension according to the following procedures.

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

##### 1. Implementation Procedures:

- a. The principal/designee will determine whether a long-term suspension is warranted.
- b. In grades kindergarten through grade 4, no student shall be subject to a 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. In grades 5-12, long-term suspensions cannot be imposed in a manner that causes the student to lose academic grades or credit for in excess of one (1) semester or trimester during the same school year.
- c. The principal/designee will take the following actions:

- 1) Inform the student orally or by written notice of the alleged misconduct and rule violated, of the evidence against him or her, and the number of days of the long-term suspension.
  - 2) Give the student an opportunity to explain his or her behavior.
  - 3) Provide written notice that:
    - a) Is hand delivered by designated messenger or mailed by certified mail to the adult student or to the student and his/her parent(s) or guardian(s).
    - b) Is provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s) if they speak a language other than English, to the extent feasible.
    - c) Specifies the alleged misconduct and the District rule(s) that have been violated.
    - d) Explains the corrective action or punishment proposed.
    - e) Explains the right of the adult student, or the student and his/her parent(s) or guardian(s), to a hearing for the purpose of contesting the allegation(s).
    - f) States that if a written request for a hearing is not received within three (3) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the school district without any further opportunities for the adult student or the student and his/her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" must be included with the notice.
  - 4) Provide a copy of the letter to the superintendent within twenty-four (24) hours of imposition of the long-term suspension.
2. Readmission from Long-Term Suspension

Any student who has been suspended may apply for readmission at any time by submitting a written application to the District Hearing Officer or superintendent.

The adult student or student and his/her parent(s) or guardian(s) will:

- a. Submit to the District Hearing Officer or superintendent the reason the student wants to return and why the request should be considered, including any evidence in support of the request.
- b. Attend a readmission conference to be scheduled at a time when the student, parent(s) or guardian and the school administrator who imposed the suspension can meet with the District Hearing Officer or superintendent to review the request to be readmitted to school.

- c. Receive the decision on readmission within ten (10) school business days after the conference.

## I. Expulsion

Expulsion is the denial of attendance at any single subject or class or at any schedule of subjects or classes for an indefinite period of time. An expulsion also includes a denial of admission to, or entry upon, any real and personal property that is owned, leased, rented or controlled by the District. No student shall be expelled unless other forms of corrective action reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action would fail if employed.

### 1. Expulsion for Weapons

The District has “no-tolerance” for weapons and expulsion is the presumptive appropriate sanction for violating this policy. Students in possession of a firearm as defined in RCW 28A.600.420, regardless of age, shall be subject to a mandatory expulsion for one year unless subsequently modified by the superintendent or designee. Law enforcement officials shall be notified of the action taken against a student found in possession of a weapon. The student’s parents or guardians shall be notified in accordance with these procedures.

It is unlawful for anyone to carry, exhibit, display or draw any firearm, dagger, sword, knife, or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

It is unlawful for an elementary or secondary school student knowingly to carry onto public school property, transportation, or other facilities when being used exclusively by the public schools any firearm or dangerous weapon including, but not limited to: sling shot; sand club; metal knuckles; spring bladed knife or any knife having a blade which opens or falls or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement (butterfly knife); dagger; dirk; pistol; any contrivance or device for suppressing the noise of any firearm; "nun-chu-ka" sticks (consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means); throwing stars; air guns (including any air pistol or air rifle) designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide or any other gas; any explosive devices such as pipe bombs, dynamite caps, small arms ammunition, small arms ammunition primer, black powder, pyrotechnics, incendiary devices or illegal fireworks; or any other dangerous weapon. In the District this also includes a "fake" weapon that is being displayed or represented as a "real" weapon.

Students over eighteen years of age and students between fourteen and eighteen years of age with written parental or guardian permission may possess personal protection spray devices. They may only be used in self-defense as defined by state law. Possession, transmission or use of personal protection spray devices under any other circumstances will result in expulsion.

## 2. Implementation Procedures

- a. The principal or designee will determine whether expulsion is warranted.
- b. The principal or designee will take the following actions:
  - 1) Deliver written notice in person or by certified mail to the adult student or the student and his/her parent(s) or guardian(s).
  - 2) Ensure that the written notice:
    - a) Is provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s), if they speak a language other than English, to the extent feasible.
    - b) Specifies the alleged misconduct and the District rule(s) or policy that has been violated.
    - c) Explains the corrective action or punishment proposed.
    - d) Explains the right of the adult student or the student and his/her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegations.
    - e) States that if a written request for a hearing is not received within three (3) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the school district without any further opportunities for the adult student or the student and his/her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" must be included with the notice.
  - 3) Notify, in writing, the superintendent within twenty-four (24) hours after the imposition of the expulsion.

## 3. Appeal Procedures

Section L-4

## 4. Readmission from Expulsion

Any student who has been expelled may apply for readmission at any time, by submitting a written application to the District Hearing Officer or superintendent.

The adult student or student and his/her parent(s) or guardian(s) will:

- a. Submit to the Hearing Officer the reason the student wants to return and why the request should be considered, including any evidence in support of the request.

- b. Attend a readmission conference to be scheduled at a time when the student, parent(s) or guardian and the school administrator who imposed the suspension can meet with the District Hearing Officer to review the request to be readmitted to school.
- c. Receive the District Hearing Officer's decision on readmission within ten (10) school business days after the conference.

## J. Emergency Expulsion

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

### 1. Implementation Procedures

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

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

Notify, in writing, the superintendent within twenty-four (24) hours after the imposition of the emergency expulsion.

- c. The written notice to the adult student or the student and his/her parent or guardian shall:
  - 1) Be provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s), if they speak a language other than English, to the extent feasible.
  - 2) Specify the alleged misconduct and the District rule(s) or policy that has been violated.
  - 3) Explain the corrective action or punishment proposed.



- 4) Explain the right of the adult student or the student and his/her parent(s) or guardian(s) to a hearing.
- 5) State that if a written request for a hearing is not received within ten (10) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the District without any further opportunities for the adult student or the student and his/her parent(s) to contest the matter. A schedule of "school business days" must be included with the notice.

K. OVERVIEW OF DISCIPLINE SANCTIONS

Sanction	K-4 Limit	5-12 Limit	Student Notification	Parent Notification	Other
Discipline: • Detention • Removal • Emergency Removal • School Service	Removal is limited to balance of class or activity or until an administrator gives another sanction	Removal is limited to balance of class/ activity or up to the two following days or until an administrator gives another sanction	Oral notification (written sign-off of some type is recommended) • Rule Violated • Evidence • Type of Discipline	Contact by phone or letter  Prior notification must be made if student is going to be held after the last departure of the school buses for the day.	None
Short-term Suspension - 1-10 days	5 days/ semester	15 days/ semester 10 days/ trimester	Oral or written notice: • Rule violated • Evidence • Number of days  (Special Education students require an MDT meeting before they can be suspended if this makes a total of over ten (10) days suspension for the year)	Written notice (in predominant language of family when feasible): • Reason for suspension • Length of suspension • Grievance procedure (Suspension letter - Appendix A; Suspension for Tobacco - Appendix B)	Written notice mailed to District Hearing Officer within 24 hours of suspension
Long-term Suspension - More than ten (10) days until the end of the semester		One semester	Oral or written notice: • Rule violated • Evidence • Number of days  (Special Education students - An MDT meeting must be held within three (3) days to determine action to be taken)	Written notice (in predominant language of family, when feasible): • Reason for suspension • Length of suspension • Hearing procedure CERTIFIED MAIL CALENDAR OF SCHOOL DAYS	Written notice to District Hearing Officer within 24 hours of suspension - Mailing or delivery must be documented by signature of parent(s), guardian(s), or adult student or the certified receipt from post office.

K. OVERVIEW OF DISCIPLINE SANCTIONS - continued

Sanction	K-4 Limit	5-12 Limit	Student Notification	Parent Notification	Other
Expulsion	Indefinite	Indefinite	<p>Written Notice:</p> <ul style="list-style-type: none"> <li>• Rule violated</li> <li>• Right to Hearing</li> </ul> <p>(Special Education students - An MDT meeting must be held within three (3) days to determine action to be taken)</p>	<p>Written notice (in predominant language of family, when feasible):</p> <ul style="list-style-type: none"> <li>• Reason for Expulsion</li> <li>• Hearing procedure</li> </ul> <p>CERTIFIED MAIL CALENDAR OF SCHOOL DAYS</p>	<p>Written notice to District Hearing Officer within 24 hours of suspension - Mailing or delivery must be documented by signature of parent(s), guardian(s), or adult student or the certified receipt from post office.</p>
Emergency Expulsion	Indefinite	Indefinite	<p>Written Notice:</p> <ul style="list-style-type: none"> <li>• Rule violated</li> <li>• Right to Hearing</li> </ul> <p>(Special Education students - An MDT meeting must be held within 10 days to determine action to be taken)</p>	<p>Written notice (in predominant language of family when possible):</p> <ul style="list-style-type: none"> <li>• Reason for emergency expulsion</li> <li>• Hearing procedure</li> </ul> <p>CERTIFIED MAIL CALENDAR OF SCHOOL DAYS</p>	<p>Written notice to District Hearing Officer within 24 hours of suspension - Mailing or delivery must be documented by signature of parent(s), guardian(s), or adult student or the certified receipt from post office.</p>

## L. Grievances/Hearings/Appeals

### 1. Grievances - Discipline/Short-Term Suspension

- a. Any adult student or student and parent, or guardian who disagrees with the imposition of discipline or a short-term suspension has the right to an informal conference with the building principal or designee for the purpose of resolving the disagreement. Telephone conversations do not meet this requirement. The District employee whose disciplinary action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible.
- b. During the informal conference, the student, parent(s) or guardian(s) are subject to questioning by the principal or designee and are entitled to question school personnel involved in the matter being grieved. The grounds and scope of the grievance shall be fully explained to the students, parent(s) and/or guardian(s). The scope of the grievance will be confined to the imposition of discipline or short-term suspension.
- c. Subsequent to the informal conference, the student, parent(s) or guardian(s), upon three (3) school business days' prior notice, shall have the right to present a written and/or oral grievance to the District Hearing Officer.
- d. If the grievance is not resolved, the student, parent(s) or guardian(s), upon three (3) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Board of Directors during the Board's next regular meeting. The Board of Directors may establish and utilize such procedures as it deems appropriate for the purpose of hearing the grievance.
- e. The Board of Directors shall notify the student and the student's parent(s) or guardian(s) of its response to the grievance within ten (10) school business days after the date of the meeting.
- f. The discipline/short-term suspension shall continue notwithstanding the implementation of the grievance procedure, unless the principal or his/her designee elects to postpone the corrective action.
- g. Students who participate in co-curricular activities will also be subject to the co-curricular code.

### 2. Hearings - Long-Term Suspension and Expulsion

- a. The student and his/her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three (3) school business days after the date of receipt of notice. A request for a hearing shall be provided to the District Hearing Officer or superintendent. *A request for a hearing shall be in writing.*
- b. If a request for a hearing is received within the required three (3) school business days, the District shall schedule a hearing to commence within three (3) school

- business days after the date upon which the request for a hearing was received. The hearing may be scheduled after three school days subject to approval by all parties.
- c. At the hearing, the student and his/her parent(s) or guardian(s) have the right to:
    - 1) Inspect, in advance of the hearing, any documentary and other physical evidence that the District intends to introduce at the hearing;
    - 2) Be represented by legal counsel;
    - 3) Question and confront witnesses within the guidelines specified by Washington Administrative Code 392-400-270;
    - 4) Present his/her explanation of the alleged misconduct; and
    - 5) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
  - d. The designee(s) of the District assigned to present the District's case shall have the right to inspect, in advance of the hearing, any documentary and other physical evidence that the student and his/her parent(s) or guardian(s) intend to introduce at the hearing.
  - e. The person(s) hearing the case shall not be witnesses and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
  - f. Either a tape-recorded or verbatim record of the hearing shall be made at the option of the District.
  - g. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension, expulsion, or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel, or if none, to the student and his/her parent(s) or guardian(s).
3. Hearing - Emergency Expulsion
- a. The student and his/her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten (10) school business days after the date of receipt of notice. A request for a hearing shall be provided to the District employee specified in the notice of opportunity for a hearing or to his/her office. *A request for a hearing must be made in writing.*
  - b. If a request for a hearing is received within the required ten (10) school business days, the District shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible, and in no case later than the third school business day after the receipt of the request for a hearing.

- c. The hearing process for emergency expulsion shall be the same as that provided for long-term suspension or expulsion.
  - d. Within one (1) school business day after the date upon which the hearing concludes, a decision as to whether or not the emergency expulsion shall be continued shall be given.
    - 1) The student's legal counsel or, if none, the student and his/her parent(s) or guardian(s) shall be notified by certified letter.
    - 2) The decision shall give the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.
  - e. An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action for the conduct giving rise to the emergency expulsion in the first instance.
4. Appeals - Long-Term Suspension, Expulsion, and Emergency Expulsion
- a. The student and his or her parent(s) or guardian(s) shall have the right to appeal the decision of the hearing officer to the Board of Directors.
  - b. Notice indicating that the student or his or her parent(s) or guardian(s) desire to appeal the decision shall be provided to either the District hearing officer or the District Superintendent within three (3) school business days after the date of receipt of the decision.
  - c. The notice of appeal must be made in writing.
  - d. If a timely appeal is taken to the Board of Directors the suspension or expulsion may be imposed during the appeal period subject to the following conditions and limitations:
    1. A long-term suspension or nonemergency expulsion may be imposed during the appeal period for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period; and,
    2. 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.
    3. An emergency expulsion shall not be interrupted or stayed pending the appeal process if the hearing officer's decision includes a conclusion that 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 to the educational process of the student's school.

- e. If an appeal is not taken to the Board of Directors within the required three (3) school business day period, the suspension or expulsion decided upon may be imposed as of the calendar day following expiration of the three (3) school business day period.
- f. If a written notice of appeal to the Board of Directors is received within the required three (3) school business days, the Board of Directors shall schedule and hold an informal conference to review the matter within ten (10) school business days after the date of receipt of such appeal notice.
  1. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of disposing of the appeal as provided for in this section.
  2. At that time, the student or the student's parent(s), guardian(s), or legal counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable.
  3. The Board of Directors shall agree to one of the following procedures prior to adjournment or recess:
    - a) Study the hearing record or other material submitted and render its decision within ten (10) school business days after the informal conference; or
    - b) Schedule and hold a meeting to hear further arguments based on the record before the Board of Directors and render its decision within fifteen (15) school business days after date of the informal conference;
    - c) Schedule and hold a meeting within ten (10) school business days after the date of the informal conference for the purpose of hearing the case de novo.
  4. In the event the Board of Directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:
    - a) Appeals to the Board of Director of disciplinary decisions should be closed meetings.
    - b) The student and his or her parent(s) or guardian(s) shall have the right to:
      - (1) Inspect, in advance of the hearing, any documentary and other physical evidence that the school district intends to introduce at the hearing;
      - (2) Be represented by legal counsel;
      - (3) Question and confront the witnesses;
      - (4) Present his/her explanation of the alleged misconduct; and

- (5) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
  - c) The designee(s) of the District assigned to present the District's case shall have the right to inspect, in advance of the hearing, any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
  - d) Either a tape-recorded or a verbatim record of the hearing shall be made at the option of the school district.
5. Board of Directors Decision:

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

- f) Only by those Board members who have heard or read the evidence.
- g) Only by those Board members who have not acted as a witness in the matter.
- h) Only at a meeting at which a quorum of the Board is present and by a majority vote.
- i) An appeal from any decision of the Board of Directors to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of the Board of Directors shall be postponed pending appeal to Superior Court shall be discretionary with the Board of Directors, except as otherwise ordered by a court.



## M. OVERVIEW OF GRIEVANCE/HEARING/APPEAL INFORMATION

<i>Type of Discipline</i>	<i>Grievance/ Hearing/ Appeal</i>	<i>Person(s) Responsible</i>	<i>Timeline</i>	<i>Manner of Informing the District that an Appeal or Grievance is Desired</i>	<i>Timeline</i>	<i>Manner of Informing the District that an Appeal or Grievance is Desired</i>	<i>Timeline</i>
Discipline	Grievance	School Principal School Employee Adult Student or Student and his/her Parent(s)/ Guardian(s)	As soon as possible	Letter of grievance to the District Hearing Officer	Two days	Letter and/or oral grievance to the Board of Directors	Ten days
Short-Term Suspension	Grievance	School Principal School Employee Adult Student or Student and his/her Parent(s)/ Guardian(s)	As soon as possible	Letter of grievance to the District Hearing Officer	Two days	Letter and/or oral grievance to the Board of Directors	Ten days
Long-Term Suspension	Hearing	Hearing Officer Adult Student or Student and his/her Parent(s)/ Guardian(s)	Three days	Written Appeal to the District Hearing Officer	Three days	Appeal to the Board of Directors	Ten days
Expulsion	Hearing	Hearing Officer Adult Student or Student and his/her Parent(s)/ Guardian(s)	Ten days	Written Appeal to the District Hearing Officer	Three days	Appeal to the Board of Directors	Ten days
Emergency Expulsion	Hearing	Hearing Officer Adult Student or Student and his/her Parent(s)/ Guardian(s)	Ten days	Oral or Written Appeal to the District Hearing Officer	Three days	Appeal to the Board of Directors	Ten days

## N. Violations of the Law

A student committing an offense of assault, kidnapping, unlawful imprisonment, custodial interference, harassment, arson, reckless burning, malicious mischief, rape, molestation, or sexual misconduct directed at a teacher shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

If the offenses are directed toward another student, the student shall be removed from the classroom of the victim for the duration of the student's attendance at the school or any other school where the victim is enrolled.

This section is not intended in anyway to limit the authority of the principal or designee under existing law and rules to expel or suspend a student for misconduct or criminal behavior.

## II. Searches of Students, Their Property and School Lockers

### A. General

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

### B. Establishing Reasonable Grounds

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

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

### C. Conducting the Search

The principal or principal's designee shall begin by asking that the student consent to the search by removing items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student and the student's personal belongings as follows:

1. Any search of a student or the student's possessions conducted by the principal or principal's designee must be reasonably related to the discovery of evidence of a student's violation of the law or District or school rules.
2. The principal or principal's designee shall conduct searches in a manner that is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. No student shall be subject to a strip search or body cavity search by school officials.
3. The principal or principal's designee shall determine in his/her discretion if a student's parent or guardian should be contacted prior to conducting a search. If not previously notified, a student's parent or guardian shall be contacted following a search.

### D. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school District. No right or expectation of privacy exists for any student as to the use of any locker issued or assigned to a student by the school.

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

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

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

### III. Computer Trespass, Tampering and Misuse

Students shall not violate the Aberdeen School District's Acceptable Use Procedures. Successful operation of the district network requires all users to conduct themselves in a responsible, decent, ethical, and polite manner. The user is ultimately responsible for his/her actions in accessing network services. Improper use of a school or school district computer, computer system, or database includes, but is not limited to, the following:

- Attempts to defeat content filters
- "Hacking tools"Running ".exe" files not approved by the district
- Running ".exe" files not approved by the district
- Installing keylogger programs on a computer or the computer network
- Physically altering or damaging a computer or altering the operation of the network
- Use for personal gain
- Downloading, installing or using games, audio files, and video files, including shareware and freeware, without permission from a site administrator
- Cyber bullying, hate mail, defamation, harassment of any kind, or discriminatory jokes or remarks
- Posting sending, or storing information that endangers threatens or intimidates others
- Accessing, uploading, downloading, storing or distributing obscene, pornographic, or sexually explicit material
- Attaching unauthorized equipment to the District network; *any such equipment will be confiscated*
- Installing viruses or Trojans
- Seeking to gain unauthorized access to information resources, obtaining copies of or modifying files or other data, or obtaining or communicating passwords belonging to others
- Invading the privacy of individuals or entities (e.g. using someone else's name or account) or misrepresenting other users on the network
- Encrypting files or network communications or altering or deleting log files so as to avoid security reviews

The Aberdeen School District has the right to take disciplinary action, remove computer and networking privileges, and/or take legal action for any unacceptable activity that is potentially detrimental to the network or for unethical behavior. The chart below is a guideline for sanctions to be applied for computer or computer network violations.

Offense	High School	Middle School	Elementary
1 <sup>st</sup>	Short-term suspension 5 days, loss of network use for 3 weeks.	Short-term suspension 5 days, loss of network use for 1-3 weeks	Loss of network use for 1-3 weeks
2 <sup>nd</sup>	Long-term suspension of 11-15 school days, loss of network use for 3-6 weeks.	Short-term suspension, 5-10 days, loss of network use for 3-6 weeks	Short-term suspension of 3-5 days, loss of network use for 1-3 weeks.
3 <sup>rd</sup>	Long-term suspension for the duration of the school year.	Long-term suspension of 11-15 school days, loss of network use for duration of the school year.	As above

#### **IV. Corrective Action – Illegal Drugs/Alcohol/Tobacco**

##### **A. Definitions**

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

##### **B. Conditions and Limitations**

###### **1. General**

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

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

c. Investigation:

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

2. Implementation Procedures:

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

3. Grades K-8 Recommended Guideline for Sanctions - Illegal Drugs/Alcohol

- a. The following actions are often appropriately imposed for possession, use, or being under the influence of illegal substances, or inhalants, or for possession of drug paraphernalia.
  - 1) First Offense
    - a) Immediate ten (10) day suspension reduced to five (5) day suspension if student completes a drug/alcohol assessment by an approved community agency at the student's expense;
    - b) Referral to law enforcement agency by the administrator.
  - 2) Second Offense
    - a) Immediate fifteen (15) day suspension reduced to five (5) day suspension if student completes a drug/alcohol assessment by an approved community

- agency, at the student's expense, and *complies* with the recommendations of the assessment;
- b) Referral to law enforcement agency by the administrator.
- 3) Third Offense
- a) Expulsion from the Aberdeen School District;
  - b) Referral to law enforcement agency by the administrator.
- b. The following actions are often appropriately imposed for the sale or delivery of illegal substances or paraphernalia:
- 1) When appropriate, emergency expulsion;
  - 2) Suspension or expulsion;
  - 3) Referral to law enforcement agency by administrator.
4. Grades 9 - 12 Recommended Guidelines for Sanctions - Illegal Drugs/Alcohol
- a. The following actions are often appropriately imposed for possession, use, or being under the influence of illegal substances, or inhalants, or for possession of drug paraphernalia.
- 1) First Offense
    - a) Immediate long-term suspension reduced to five (5) day suspension if student completes a drug/alcohol assessment by an approved community agency, at the student's expense, and *complies* with the recommendations of the assessment;
    - b) Referral to law enforcement agency by the administrator.
  - 2) Second Offense
    - a) Suspension of no less than 15 school days or expulsion;
    - b) Referral to law enforcement agency by the administrator.
- b. The following actions are often appropriately imposed for the sale or delivery of illegal substances or paraphernalia:
- 1) When appropriate, emergency expulsion;
  - 2) Suspension or expulsion;
  - 3) Referral to law enforcement agency by administrator.



## 5. Recommended Guidelines for Sanctions - Tobacco

- a. The following actions are often appropriately imposed for possession or use of tobacco:
  - 1) First and Second Offenses
    - a) Successful completion of tobacco cessation class or five (5) day suspension. The suspension may be held in abeyance until the student shows evidence of registering for the next available smoking cessation class at the student's expense. A list of community agencies that provide smoking cessation classes should be provided with the suspension letter. If the student does not attend the class, a five (5) day suspension may commence starting on the first school day following the scheduled class;
    - b) Referral to law enforcement agency by the administrator.
  - 2) Third and Subsequent Offenses
    - a) Follow sanctions guidelines for "Cumulative Violations";
    - b) Referral to law enforcement agency by the administrator.

## V. Specific Student Offenses

### A. Cheating and Plagiarism

4. Cheating, plagiarizing, or turning in another person's papers, projects, electronic-generated products as one's own work or enabling misrepresentation to occur is a violation of the Aberdeen School District rules.
5. The inappropriate use of electronic devices to give/obtain answers or to promote or aid in cheating and/or plagiarism or other forms of dishonesty is prohibited.

### B. Gambling

1. Gambling (playing cards, dice or games of chance) for money or other things of value is prohibited.

### C. Dangerous or Disruptive Items

1. The possession, use, trade or distribution of any item that is capable of inflicting serious bodily harm or causing disruption is strictly prohibited. Examples include, but are not limited to, the following: toys, tools, lighters, laser pointers, firecrackers, handcuffs, shock pens and matches. Also prohibited are any items that the District or building administrator has identified in writing as being prohibited on school district property.

#### D. Gang Behavior and/or Affiliation

2. Students are prohibited from displaying gang membership or affiliation implied through behavior, apparel, activities, acts or other attributes that lead or reasonably could lead to disrupting the educational process.
3. "Gang" means a group, organization or association that consists of three or more persons, has identifiable leadership, and on an ongoing basis conspires and acts in conduct mainly for criminal or disruptive purposes.
4. Students are prohibited from exhibiting behaviors or gestures that symbolize gang membership or planning, organizing, financing, soliciting or threatening the commission of acts that are in violation of laws or district rules. Further, students are prohibited from causing and/or participating in activities that intimidate, cause harassment or affect the attendance of another student.

### VI. Corrective Action – Special Education Students

#### A. Overview of Corrective Actions

A student eligible for special education may be disciplined consistent with the rules that apply to all students. The District shall determine on a case-by-case basis whether discipline that is permitted under Chapter 392-400 WAC and this procedure should be imposed. At the same time, however, students eligible for special education must not be improperly excluded from school for disciplinary reasons that are related to their disability or related to the District's failure to implement their IEP.

A student who has not yet been officially designated as being eligible for special education may nonetheless assert the protections of a student eligible for special education if the District had knowledge that the student was eligible for special education before the behavior that precipitated disciplinary action occurred. The District is deemed to have had knowledge if:

5. The parent expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to District supervisory or administrative personnel or a teacher that the student is in need of special education and related services;
6. The parent requested that the student be evaluated for special education services; or
7. The teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by the student to the director of the special education department or to other supervisory staff.

#### B. Emergency Removal and Short-Term Suspension

The procedures for emergency removal from a classroom and short-term suspension are generally the same for students eligible for special education as they are for all students. No additional procedures need to be followed unless the action taken, when added to any previous removals or suspensions exceeds ten (10) days total for the year. If the ten (10)

day limit will be exceeded, follow the procedures found in Administrative Procedure 2161P.

#### C. Long-Term Suspension/Expulsion

The imposition of a long-term suspension or expulsion of a student eligible for special education would constitute a change of placement and an IEP Team meeting must be held and the IEP Team should follow the procedures found in Administrative Procedure 2161P.

#### D. Emergency Expulsion

If the behavior of a student eligible for special education is such that his/her presence creates an immediate or continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the educational process, the student may be sent home for periods not to exceed ten (10) consecutive school days. If a student is sent home for more than ten (10) consecutive school days, this action would constitute a change in placement and require the convening of the IEP team, which would follow the procedures in Administrative Procedure 2161P. When a student eligible for special education-emergency expelled, the Special Education Department must be notified within twenty-four (24) hours.

#### E. IEP Discipline Plans

Within the IEP development process, a plan may be agreed upon for the discipline of a specific behavior in order to reach behavioral goals. The “Student Rights and Responsibilities Rules” found in the student handbooks of each school are not to be invoked when the action being taken is called for by the behavioral plan in the IEP.

#### F. Corrective Action for Students with 504 Plans

Corrective action for students with 504 plans (individualized education plans pursuant to Section 504 of the 1973 Rehabilitation Act) should follow the same basic procedures outlined for students eligible for special education. Although Section 504 does not require the provision of an alternative education setting during disciplinary action, it does require review by the 504 team of the plan and determination as to its appropriateness.

#### G. Special Education – Corrective Action Checklist

CHECKLIST	COMMENTS
4. Does this student have an IEP, or has the student been referred or considered for a Special Education evaluation, or is the student suspected of needing special education services? If the answer is no, regular discipline procedures apply and you need go no further with this list.	
2. What is the student's qualifying disability?	

3. What is the behavior for which disciplinary action is being considered?	
4. Are behavioral goals and objectives listed in the student's IEP?	
5. Is the behavior an immediate and continuing danger to the student, other students, or personnel, or does it constitute an immediate and continuing threat of substantial disruption of the educational process? If the answer is yes, refer to the Emergency Expulsion section.	
6. If the misconduct warrants a short-term suspension or lesser discipline, has the special education teacher and the principal/designee determined that the misconduct is not related to, or an element of, the student's qualifying disability? If the answer is yes, short-term suspension or lesser discipline may be imposed.	
8. If the misconduct will result in the student having been removed for more than 10 days in the school year has the principal/designee called an IEP team meeting.	
8. Has the IEP team determined the following: <ul style="list-style-type: none"> <li>a. Is the student's behavior a manifestation of, or related to, the student's qualifying disability?</li> <li>b. Does the student's behavior indicate the need for a change of placement?</li> <li>c. Does the student's behavior indicate the need for a change of reassessment?</li> <li>d. Would the disciplinary sanction deny the student a free and appropriate education?</li> </ul>	
9. If the IEP team determines that the student's behavior is related to the qualifying disability or suggests the need for a reassessment or change in placement, has the IEP team determined the need for: <ul style="list-style-type: none"> <li>a. Revising the IEP;</li> <li>b. Changing the student's placement; or</li> <li>c. Re-evaluating the student.</li> </ul>	
10. Have the parents been sent a written statement with the results of the IEP team meeting?	
11. Have all procedures been documented and recorded for possible use at a later time?	
12. Are there other considerations?	

## H. SPECIAL EDUCATION CORRECTIVE ACTIONS SUMMARY

Sanction	Steps to Follow	Special Considerations
Short-Term Suspension	1. May be imposed unless the action taken exceeds ten (10) days total, in which case follow the steps for long-term suspension.	Letter home - Suspension letter in primary language when feasible.  Copy to student, parent, file, primary teacher, District Hearing Officer
Long-Term Suspension/ Expulsion	1. Follow Administrative Procedure 2161P	Certified Letter home - Long-term Suspension or Expulsion letters  Copy to student, parent, file, primary teacher, District Hearing Officer. Include: MDT Form and Calendar of School Days.
Emergency Expulsion	3. Determine if the behavior is an immediate danger to the student, other students, school personnel or an immediate threat of substantial disruption of the educational process. 4. Call the Director of Special Education to notify her or him of the Emergency Expulsion. 5. Follow Administrative Procedure 2161P.	Certified Letter home - Emergency Expulsion letter  Copy to student, parent, file, primary teacher, District Hearing Officer. Include: MDT Form and Calendar of School Days.

## VII. District Dress Code

### A. General Attire Guidelines

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

1. The student's dress or appearance presents a health or safety hazard;
2. The student's dress or appearance will cause damage to school property; or
3. The student's dress or appearance will cause a material and substantial disruption of the educational process.

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

### B. Recommended Guidelines for Sanctions

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

1. First Offense  
The student will be asked to change clothes (get clothes from home, change into other clothes they might have at school that are appropriate, turn their shirt inside-out, etc.).
2. Subsequent Offense(s)  
Follow sanctions for "Defiance of School Authority" or "Willful Disobedience."

## VIII. Transportation Rules and Sanctions

### A. Transportation Rules

1. The bus driver is in full charge of the bus and students.
2. Students crossing roads must do so under the direction of the bus driver and cross only in front of the bus.
3. Students must observe classroom conduct, be courteous, and not use profanity; or engage in teasing, name calling, or physical abuse.
4. Students must keep the bus clean, and may not eat or chew gum on the bus.
5. Students must remain seated at all times, keeping their head, hands and feet inside the bus.
6. Students are not allowed to take pets, animals or hazardous objects on the bus.

### B. Transportation Sanctions

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

1. Verbal Warning  
The bus driver reviews behavior expectations with the student and identifies the bus rule that has been violated.
2. First Written Offense  
The bus driver assigns the student to a specific seat for one (1) week when appropriate and writes the first discipline report. The school official contacts parents by phone or mail.
3. Second Written Offense  
The bus driver writes the second discipline report; the student is denied riding privileges for *three* (3) days; a conference is held with the parent(s) or guardian(s), as needed (attended by the principal or designee, transportation supervisor, etc.)
4. Third Written Offense  
The bus driver writes the third discipline report; the student is denied riding privileges for a period of time ranging from five (5) days to the remainder of the semester.

When disciplinary action has been taken, the principal will fax the completed conduct report to the Transportation Department immediately. In the case of a suspension, the Transportation Department must be notified on the day of the suspension.

Administrators, the Transportation Supervisor, and the District Hearing Officer may modify or grant exceptions to these sanctions in cases involving extenuating or exceptional circumstances, after considering the background of the individual student, or after considering the nature and circumstances of the violation.

C. Grievances and Appeals

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

Approved: March 1, 2011

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Thomas A. Opstad, Ed.D.  
Superintendent of Schools

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Date