

## **Student Discipline**

“Discipline” means any action taken by the school district in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms. Data show that a supportive response to behavioral violation is more effective and increases equitable educational opportunities. The purposes of this policy and accompanying procedure include:

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

The Superintendent shall establish and make available rules of student conduct, designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of the district’s rules of student conduct, including behavior standards that respect the rights, person, and property of others. Students and staff are expected to work together to develop a positive climate for learning.

### **Minimizing exclusion, engaging with families, and supporting students**

Unless a student’s presence poses an immediate and continuing danger to others or an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035. The “Davenport School District Discipline Procedures” and building discipline plans will identify a list of other forms of discipline for staff use. However, staff members are not restricted to that list and may use any other form of discipline compliant with WAC 392-400-025(9).

School personnel must make every reasonable attempt to involve parents and students to resolve behavioral violations. The district must ensure that associated notices, hearings, conferences, meetings, plans, proceedings, agreements, petitions, and decisions are in a language the student and parents understand; this may require language assistance. Language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The district’s use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the school district, including but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process that is conducive to learning.

As described in the procedures, the district will offer educational services to students during suspension or expulsion. When the district administers a long-term suspension or expulsion, the district will timely hold a reengagement meeting and collaborate with parents and students to develop a reengagement plan that is tailored to the student’s individual circumstances, in order to return the student to school successfully. Additionally, any student who has been suspended or expelled may apply for readmission at any time.

**Staff authority**

District staff members are responsible for supervising students during the school day, during school activities, whether on or off campus, and on the school bus. Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. The Superintendent will identify other staff members to whom the Superintendent has designated disciplinary authority. After attempting at least one other form of discipline, teachers have statutory authority to impose classroom exclusion for behaviors that disrupt the educational process. Because perceptions of subjective behaviors vary and include implicit or unconscious bias, the district's discipline procedures will seek to identify the types of behaviors for which the identified district staff may administer discipline.

**Ensuring fairness, providing notice, and an opportunity for a hearing**

When administering discipline, the district will observe all of the student's constitutional rights. The district will notify parents as soon as reasonably possible about classroom exclusion and before administering any suspension or expulsion. The district will provide opportunities for parent participation during an initial hearing with the student. The district will provide parents with written notice, consistent with WAC 392-400-455, of a suspension or expulsion no later than one school business day following the initial hearing. As stated above, language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The district has established procedures for review and appeal of suspensions, expulsions, and emergency expulsions, consistent with WAC 392-400-430 through 392-400-530.

The district has also established procedures to address grievances of parents or students related to other forms of discipline, classroom exclusion, and exclusion from transportation or extra-curricular activity. The grievance procedures include an opportunity for the student to share his or her perspective and explanation regarding the behavioral violation.

**Development and review**

Accurate and complete reporting of all disciplinary actions, including the behavioral violations that led to them, is essential for effective review of this policy; therefore, the district will ensure such reporting. The district will periodically collect and review data on disciplinary actions taken against students in each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042, including students who qualify for special education or Section 504. The data review will include classroom exclusion, in-school and short-term suspensions, and long-term suspensions and expulsions. The district will invite school personnel, students, parents, families, and the community to participate in the data review. The purpose of the data review is to determine if disproportionality exists; if disproportionality is found the district will take action to ensure that it is not the result of discrimination and may update this policy and procedure to improve fairness and equity regarding discipline.

**Distribution of policies and procedures**

The school district will make its discipline policies and procedures available to families and the community. The district will annually provide its discipline policies and procedures to all district personnel, students, and parents, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964. The school district will ensure district employees and contractors are knowledgeable of the discipline policies and procedures.

**Cross References:**

- 2121 - Substance Abuse Program
- 2161 - Special Education and Related Services for Eligible Students
- 2162 - Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973
- 3122 - Excused and Unexcused Absences
- 3200 - Rights and Responsibilities
- 3210 - Nondiscrimination
- 3244 - Prohibition of Corporal Punishment

3520 - Student Fees, Fines, or Charges  
4210 - Regulation of Dangerous Weapons on School Premises  
4218 - Language Access Plan

Legal References:

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

Management Resources:

2019 - April Policy Alert  
2010 - June Issue  
2014 - August Issue  
2014 - December Issue  
2016 - July Policy Issue  
2018 - August 2018 - August Policy Issue

Adoption Date: 8-21-2019

Classification: **Essential**

Revised Dates:

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