

## STUDENTS

### Student Rights and Responsibilities

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
	RCW 28A.600.020	Government of schools, pupils, employees optimum learning atmosphere
	RCW 28A.600.040	Pupils to comply with rules and regulations
	RCW 28A.400.110	Principal to assure appropriate discipline
	RCW 28A.150.240	Basic Education Act of 1977 - Certificated teaching and administrative staff as accountable for classroom teaching -Scope - Responsibilities - Penalty
	RCW 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
	WAC 392-168	Citizen Complaint Procedure for Certain Categorical Federal Programs

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## STUDENTS

### Student Rights and Responsibilities

#### I. INTRODUCTION

A. Purpose:

It is the purpose of these rules to set forth the policies and procedures of Port Townsend School District No. 50 in maintaining order and discipline in its schools. These rules are intended to protect and enhance the individual rights of students; to reserve necessary authority in the school district, its administrators and teachers; and to maintain a proper learning atmosphere.

B. Distribution of Policies and Rules Concerning Student Rights and Responsibilities:

To insure student and parent knowledge of these rules and policies, the school district shall on an annual basis publish and make available copies of these rules to all students and parents. Each year the district will provide a copy of these rules to each family, or, if the board of directors so elects, provide notice of the general content of these rules which specifies where a copy of the rules may be obtained.

#### II. RULES GOVERNING STUDENT CONDUCT

The following acts or omissions by a student while on school property (or in reasonable proximity thereto) or at any school-sponsored activity or event off school property are prohibited and shall constitute cause for discipline, suspension, or expulsion by authorized school district authorities.

- A. Any act or conduct causing substantial or material disruption or obstruction of any school function or operation.
- B. Any action, event, or group of events which constitutes a violation of federal, state, or local law.
- C. The destruction, damage, or theft of school property or the property of others.
- D. The attempt to inflict, or the actual infliction of, physical injury on any school employee, pupil, or other person.
- E. The possession, handling, or transmission of any object which can reasonably be considered a weapon.
- F. Any act by a pupil directed toward any other pupil, teacher, administrator, or other school personnel, or any other person for the purpose of intimidating or coercing him/her by the use of threat or force.
- G. The unauthorized entry to or use of any school facilities, property and materials. A student shall be expected to leave the school campus at the official close of the day unless permission to do otherwise has been granted.

Skateboarding is not allowed on school property.

- H. The possession, use, sale, or delivery of alcohol or any controlled substance not prescribed by a physician for such possessor or user; being under the influence of alcohol

or any controlled substance not prescribed by a physician for such possessor or user; or being in the possession of drug paraphernalia.

- I. The use or possession of tobacco products, including e-cigarettes.
- J. Parking a motor vehicle in other than a designated area or entering or moving a motor vehicle during the school day except as authorized by school authorities; operating a vehicle in other than a safe manner.
- K. Leaving the school campus between the time of arrival until the close of school except when authorized by school authorities. (Students in grades 11-12 are permitted on open campus during their lunch period on designated days; however, they are not permitted on any other campus during this period.)
- L. Using or exhibiting obscene or vulgar language, writing, gestures, pictures, signs, or acts.
- M. Unauthorized absence from class or failure to attend class or school activities on time.
- N. Violating the rules for bus students found in Section XIII of these procedures (Rules of conduct for Students Riding School Buses).
- O. Refusal to identify self upon request to proper school authorities.
- P. Failure to comply with school district policies or school rules or with the directions of school staff during any period of time the student is properly under the authority of school personnel.
- Q. "Exceptional misconduct." Exceptional misconduct is student misconduct which is so serious in nature and/or is so serious in terms of the disruptive effect upon the operation of the school(s) that students may be subject to immediate suspension or expulsion for a first time offense. Administrative discretion would be allowed and law enforcement may be informed.

Exceptional misconduct includes:

- Arson- Causing a fire or explosion.
- Assault/Threat of Assault - The use of physical force or threatening the use of physical force or sexual assault against another person, including the use of a weapon or other instrument for the purpose of inflicting injury.
- False Alarm - Falsely reporting a fire or bomb on school property.
- Fighting - Intentionally causing or attempting to cause physical injury to another person or intentionally behaving in such a way as could reasonably cause physical injury to another person.
- Possession or Use of Alcohol or Controlled Substances - Possessing, using, or being under the influence of alcohol or any controlled substance not prescribed by a physician for such possessor or user; selling or delivering alcohol or any controlled substance or purported controlled substance to another person; or being in possession of drug paraphernalia.
- Possession or Use of Explosives - Possessing, using, transmitting, or transporting anything tending or serving to explode, such as firecrackers, gunpowder, bullets, etc.

- Possession or Use of Firearms or Weapons - Possessing, using, transmitting, or transporting any object that could reasonably be considered a firearm or dangerous weapon. **Possession of firearms on school property will result in a mandatory one-year expulsion, subject to appeal, with notification to parents and law enforcement.**
- Criminal Acts - Commission of any criminal act as defined by State or Federal Law.

### III. DISCIPLINE

#### A. Definition:

“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 or activity by a teacher or administrator for a period of time not exceeding the balance of the immediate class, subject, or activity: PROVIDED, that the student is under the supervision of a district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of the district.

- #### B. Authority to Impose Discipline: Each certificated employee, school administrator, and school bus driver shall possess the authority to impose discipline upon a student.

#### C. Limitations on Imposition of Discipline:

1. No form of discipline shall be enforced in such a manner as to 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 is related to the instructional objectives of the subject or course and such attendance and/or participation has been identified by that teacher pursuant to a district policy as a basis for grading.
2. Corporal punishment is prohibited as a means of discipline.

#### D. Grievance Procedure:

1. Any student, parent or guardian who is aggrieved by the imposition of discipline 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 who is the subject of the grievance shall be notified of the initiation of the grievance procedure as soon as 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 grievance.
2. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two (2) school days’ prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or to his/her designee.
3. If the grievance is not resolved, the student, parent, or guardian, upon two (2) school 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 in closed session. The

Board shall notify the student, parent, or guardian of its response to the grievance within ten (10) school days after the date of the meeting.

4. The discipline action shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

#### IV. SHORT-TERM SUSPENSION

- A. Definition: A “short-term suspension” shall mean a suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days. A “suspension” shall mean a denial of attendance (other than for the balance of the immediate class, subject, or activity period for “discipline” purposes) in any single subject or class or in any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
- B. Authority to Impose: Each school principal, assistant principal, director of special education, and the district superintendent (or his/her designee) has authority to impose suspensions upon students. Other employees of the district have authority to recommend the suspensions for misconduct.
- C. Limitations: The following limitations shall apply to short-term suspensions:
  1. Short-term suspensions may be imposed in cases of exceptional misconduct or where the nature and circumstances of the misconduct reasonably warrant a short-term suspension and the length of the suspension imposed.
  2. Except in cases of exceptional misconduct, a short-term suspension may not be imposed unless another form of corrective action or punishment reasonably calculated to modify the student’s conduct has been imposed as a consequence of misconduct of the same nature.
  3. No student in grades kindergarten through four shall be subject to short-term for more than a total of five (5) school days during any single semester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student. No student in grades five and above shall be subjected to short-term suspensions for more than a total of fifteen (15) school days during any single semester.
  4. Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if: (a) such assignments or tests have a substantial effect upon the student's semester grade or grades, or (b) failure to complete such assignments or tests will preclude the student from receiving credit for the course or courses.
  5. Any student who has been suspended shall be allowed to make application for readmission at any time. Requests for readmission shall be delivered in writing to the office of the principal of his/her school. Such applications shall be reviewed on a case-by-case basis.
- D. Prior Conference Required – Notice to Parent:

1. Prior to the short-term suspension of any student, a conference shall be conducted with the student, as follows:
    - a. An oral or written notice of the misconduct and violation(s) of school district rules shall be provided to the student,
    - b. An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student,
    - c. An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student, and
    - d. The student shall be provided the opportunity to present his or her explanation.
  2. In the event a short-term suspension is to exceed one calendar (school) day, the parent(s) or guardian(s) of the student shall be notified orally and/or by letter deposited in the United States mail as soon as reasonably possible of the reason for the student's suspension and the duration of the suspension. The notice shall also inform the parent or guardian of the right to an informal conference as hereinafter provided and of possible reduction of the suspension.
  3. All short-term suspensions and the reasons for them shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after imposition of the suspension.
- E. Grievance Procedure: Any student, parent or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to file a grievance by the procedures set forth in Section III (D) Discipline above.

## V. LONG-TERM SUSPENSION

- A. Definition: A “long-term suspension” shall mean a suspension which exceeds ten (10) consecutive school days.
- B. Authority to Impose: Each school principal, assistant principal, and the school district superintendent (or his/her designee) is authorized to impose long-term suspensions upon students. Other employees of the school district have authority to recommend long-term suspensions for misconduct.
- C. Limitations and Conditions:
  1. Long-term suspensions may be imposed for exceptional misconduct or where the nature and circumstance of the misconduct reasonably warrant a long-term suspension.
  2. Except in cases of exceptional misconduct, no student shall be long-term suspended unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have been imposed upon the student as a consequence of misconduct of the same nature.
  3. No student in grade kindergarten through four shall be subject to short-term and long-term suspensions for more than a total of ten (10) school days during any single semester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such student. No single long-term suspension shall be imposed upon a

student in grades five and above which causes the student to lose academic grades or credit for an excess of one semester during the same school year.

4. Any student who has been long-term suspended shall be allowed to make application for readmission at any time. Applications for readmission should be submitted in writing to the office of the superintendent of the school district. Said application should set forth the reasons why the student should be readmitted and include such assurances as may be appropriate concerning the non-recurrence of the problem which led to long-term suspension. The superintendent may designate an individual or committee to consider the application and make recommendations concerning such readmission. The superintendent shall advise the student and parent or guardian of the superintendent's decision within 10 school business days of the receipt of such application.
5. All long-term suspensions and the reasons therefore shall be reported in writing to the superintendent of the school district within twenty-four hours after the imposition of the suspension.

D. Notice of Hearing:

1. Prior to the long-term suspension of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall be given in substantially the form set forth in these rules and, to the extent feasible, be provided in the predominant language of the student and/or parent or guardian who predominantly speak a language other than English.
2. The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within the time specified in the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted only if it is submitted in writing.
3. If a request for a hearing is not received within the time specified in the notice, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed long-term suspension may be imposed.

E. Prehearing and Hearing Process:

1. If a request for a hearing is received within the time specified in the notice, the school district shall schedule a hearing to commence within three school business days after the date upon which a request for a hearing was received.
2. The student and his or her parent(s) or guardian(s) shall have the right to:
  - a. inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing.
  - b. be represented by legal counsel,
  - c. question and confront witnesses, unless nonappearance of a witness is excused for good reason,
  - d. present his or her explanation of the misconduct, and

- e. make such relevant showings by way of witnesses and introduction of documentary and other physical evidence as he or she desires.
3. The designee(s) of the school 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 which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
4. The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
5. Either a tape recorded or verbatim record of the hearing shall be made.
6. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension 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 or her parent(s) or guardian(s).

## VI. EXPULSION

- A. Definition: "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes, for an indefinite period of time. An expulsion also may include denial of admission to or entry upon real and personal property that is owned, leased, rented or controlled by the school district.
- B. Conditions and Limitations:
  1. A student may be expelled by the Principal, Assistant Principal, Director of Special Education or District Superintendent when the nature and circumstances of the misconduct warrant the harshness of expulsion.
  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 good reason to believe that other forms of corrective action or punishment would fail if employed.
  3. Once the student has been expelled, the expulsion shall be brought to the attention of appropriate local and state authorities, including, but not limited to the appropriate agency of the Department of Social Health Services, and/or juvenile authorities, acting pursuant to Chapter 13.04 RCW in order that such authorities may address the student's educational needs.
  4. Any student who has been expelled shall be allowed to make application for readmission in accordance with Section V. C4 above.
  5. All expulsions and the reasons for them shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the expulsion.
- C. Notice and Hearing Procedures: The notice and hearing procedures for expulsions shall be the same as for long-term suspensions.

## VII. EMERGENCY REMOVAL FROM A CLASS, SUBJECT OR ACTIVITY



- A. Notwithstanding any other provision of these rules, 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 the 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:
  1. The danger or threat ceases, or
  2. The principal or designated school authority acts to impose discipline, impose a short-term suspension or initiates a long-term suspension or an expulsion, or imposes an emergency expulsion.
- B. The principal or school authority shall 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 meeting be delayed beyond the commencement of the next school day. Prior to, or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student of the action which has been taken or initiated.

#### VIII. EMERGENCY EXPULSION

- A. Notwithstanding any other provision of these rules, a student may be expelled immediately by the school district's superintendent or a principal of a school in emergency situations: PROVIDED, that the superintendent or school principal 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 educational process. An emergency expulsion shall continue until rescinded by the superintendent or principal or until modified or reversed pursuant to the hearing provisions set forth herein.
- B. The student and his or her parent(s) or guardian(s) shall be notified of the student's emergency expulsion and of their opportunity for hearing by certified letter(s) deposited in the United States mail within twenty-four hours of the expulsion. In addition, reasonable attempts shall be made to notify the student and his or her parent(s) or guardian(s) by telephone or in person as soon as reasonably possible. Such written notice shall be given in substantially the form set forth in these rules and to the extent feasible, be provided in the predominant language of the student and/or parent or guardian who predominantly speak a language other than English.
- C. A written request for a hearing must be received by the superintendent of schools, or by his or her designee, on or before the expiration of the tenth school day after receipt of the notice of opportunity for a hearing; and if such request for a hearing is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the emergency expulsion may be continued as deemed necessary by the school district without further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter.

- D. If a request for a hearing within the required ten (10) school days is received, the school 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 day after the receipt of the request for a hearing. The hearing shall be conducted in the same manner and under the same rules as set forth for long-term suspensions, except as provided hereafter:
1. Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth 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.
  2. An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.

#### IX APPEALS – LONG-TERM SUSPENSION AND EXPULSION

Appeals from decisions of hearing officers rendered pursuant to these rules which impose either a long-term suspension or an expulsion upon a student shall be governed as follows:

- A. The student and his or her parent(s) or guardian(s) shall have the right to appeal the decision to the board of directors. Notice indicating that the student or his parent(s) or guardian(s) intend to appeal shall be provided to either the office of the school district superintendent or to the office of the person who rendered the decision within three (3) school days after the date of receipt of the decision. The notice of appeal must be in writing.
- B. If an appeal is not taken to the board of directors within the required three (3) school day period, the suspension or expulsion decided upon may be imposed as of the calendar day following expiration of the three (3) school day period. If an emergency expulsion is in force concurrently, the suspension or expulsion continues.
- C. If a timely appeal is taken to the board of directors, the suspension or expulsion will not be imposed during the appeal period except as follows:
  1. By agreement with the parent, guardian, or adult student;
  2. An emergency expulsion may be continued, concurrently with a suspension or expulsion, 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
  3. 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.

- D. An appeal from any decision of a school board to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Decisions of the school board are effective immediately.

#### X. APPEALS – HEARING BEFORE SCHOOL BOARD – PROCEDURES

- A. If a notice of appeal to the school board of directors is received as provided for herein within the required three school business days, the board shall schedule and hold an informal conference, in closed session, to review the matter within ten school business days after the date of receipt of such appeal notice. 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. At that time the student or the student's parent(s) or 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. The board shall agree to one of the following procedures prior to adjournment or recess:
1. Study the hearing record or other material submitted and render its decision within ten (10) school days after the date of the informal conference, or
  2. Schedule and hold a meeting to hear further arguments based on the record before the board and render its decision within fifteen (15) school days after the date of the informal conference, or
  3. Schedule and hold a meeting within ten (10) school days after the date of the informal conference for the purpose of hearing the case de novo.
- B. In the event the school board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:
1. The student and his or her parent(s) or guardian(s) shall have the right to:
    - a. inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
    - b. question and confront witnesses, unless nonappearance of a witness is excused for good reason,
    - c. present his or her explanation of the misconduct, and
    - d. make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
  2. The designee(s) of the school 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, and
  3. Either a tape-recorded or verbatim record of the hearing shall be made.
- C. Any decision by a school board of directors pursuant to this chapter to impose or to affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:
1. Only by those board members who have heard or read the evidence.

2. Only by those board members who have not acted as a witness in the matter.
3. Only at a meeting at which a quorum of the board is present and by majority vote

#### XI. SUSPENSION FOR UNEXCUSED ABSENCES

No student subject to compulsory attendance pursuant to Chapter 28A.225 RCW shall be suspended or expelled by reason, in whole or in part, for one or more unexcused absences unless the District has also first:

- A. Provided written notice to the student's parent or guardian, in English or in the primary language of such parent(s) or guardian(s), that the student has failed to attend school without valid justification;
- B. Scheduled a conference or conferences with the parent(s) or guardian(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes of the student's absence, the analysis to be determined by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his or her educational success; and
- C. Taken steps to reduce the student's absence which include, where appropriate in the judgment of school officials and, where possible, discussed with the student and parent(s) or guardian(s), adjustments of the student's school program or school or course assignment or assisting the student or parent(s) to obtain supplementary services that might ameliorate the causes for the student's absence.

#### XII. DISCIPLINE OF SPECIAL EDUCATION STUDENTS

Notwithstanding any other provision of Policy 3200 no discipline, suspension, or expulsion shall be imposed upon any special education student for any behavior related to the student's disability unless provision for such discipline has been included in the individualized education program (IEP), except where the student's conduct requires emergency removal from a class or emergency expulsion.

If the behavior of a special education student is of a recurring nature leading to the imposition of repeated discipline or short-term suspensions, a meeting is to be held in the manner set forth below. The purpose of such meeting is to determine if the student's recurring behavior warrants disciplinary action or indicates a need for a change of placement or a reassessment.

No special education student shall be subject to a long-term suspension or non-emergency expulsion from school until a meeting has been held with the principal, the student's primary teacher, and District special education personnel knowledgeable about placement options and about the particular student who is the subject of the contemplated action. The meeting shall take place within three (3) school business days after the parents receive notice of the infraction believed to have been committed by the student.

The purpose of the meeting shall be to determine whether the student's behavior for which long-term suspension or expulsion is being considered is related to the student's disability, or whether the student's behavior for which the long-term suspension or expulsion is being considered indicates a need for change of placement or a reassessment. If the staffing process leads to the conclusion that the behavior which the student is

alleged to have engaged in is not related to the student's disability and that the student is not in need of a change or placement or reassessment, Policy 3200 shall apply. The meeting shall be fully documented, and a written report of the results of the meeting shall be promptly submitted to the Director of Special Education, the student's primary building administrator, and the student's parent(s) or guardian(s). The report of the meeting shall include the date, time, and place of the meeting; the participants in the meeting; the sources of information used in reaching the decisions; and the decision regarding the relationship of the alleged behavior to the student's disability and whether a reassessment or change of placement is recommended.

If, following all of the procedures set forth in this paragraph, the district determines that a long-term suspension or non-emergency expulsion should be imposed upon a special education student, the principal or other authority imposing the suspension or expulsion shall promptly notify the superintendent in writing. The student and parent(s) or guardian(s) shall be notified of such long-term suspension or expulsion by a written statement which indicates that such long-term suspension or expulsion is a change of placement and which notice conforms to the requirements of WAC 392-171-526. The notice shall also advise of hearing rights available under this policy and hearing rights available under WAC 392-171-531 through WAC 392-171-561.

### XIII. RULES OF CONDUCT FOR STUDENTS RIDING SCHOOL BUSES

Any misconduct by a student, which in the opinion of the bus driver or bus supervisor, is detrimental to the safe operation of the bus shall be sufficient cause for the principal to suspend the transportation privilege.

#### Rules of conduct for students riding buses:

- A. Students shall obey the driver and any aide assigned to the bus by the district. The driver is in full charge of the bus and passengers and shall be obeyed. If an aide is assigned to the bus by the district, he/she shall be responsible for the safe operation of the bus. When transporting classes or teams, the teacher or coach shall be primarily responsible for the behavior of the students. Students shall obey both the driver and the teacher, coach or other staff member.
- B. Students shall ride only on their assigned bus unless written permission to do otherwise has been received by school officials.
- C. Students shall not be permitted to leave the bus except at their regular stop unless written permission to do otherwise is received by school officials.
- D. Students assigned seats shall use only that seat unless permission to change is authorized by the driver.
- E. Students shall observe rules governing student conduct at school while riding on buses. Noise shall be kept down to avoid distracting the driver. Students will not use obscene language or gestures.
- F. Students shall not smoke or ignite lighters or matches on buses.
- G. Students shall not eat on buses, except when specifically authorized and supervised by an accompanying teacher, coach or other staff member. Buses shall be kept clean.

- H. Students shall not open bus windows without the driver's permission.
- I. Students shall not extend any part of their body out of bus windows at any time.
- J. Students shall not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to, sticks, breakable containers, weapons or firearms, straps or pins protruding from clothing, large, bulky items which cannot be held or placed between legs, etc. Books and personal belongings shall be kept out of aisles.
- K. Students shall not have animals on buses, except a dog providing assistance to a disabled student.
- L. Students shall not sit in the driver's seat or to the immediate right or left of the driver.
- M. Students shall refrain from talking to the driver unless necessary.
- N. Students shall go directly to a seat once inside the bus and remain seated at all times unless the driver instructs otherwise.
- O. Students shall get on/off the bus in an orderly manner and shall obey the instructions of the driver or school safety patrolmen on duty. There shall be no pushing and shoving when boarding or leaving the bus. Once off the bus, students shall adhere to rules for pedestrians.
- P. Students shall never cross the roadway behind a bus unless they use pedestrian crosswalks or traffic lights.
- Q. Students shall stand away from the roadway curb when any bus is approaching or leaving a stop.
- R. Students going to and from their bus stops where there are no sidewalks shall walk on the left-hand side of the roadway facing oncoming traffic. Students shall go directly to their home after leaving the bus.
- S. Students shall use lap belts on buses when available.
- T. Students shall follow emergency exit drill procedures as prescribed by the driver.
- U. Students shall not tamper with emergency doors or equipment.
- V. Parents of students identified as causing damage to buses shall be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation.
- W. Student misconduct shall constitute sufficient reason for suspending transportation privileges.

#### Disciplinary Procedures

Principals are responsible for correcting students whose abusive behavior results in a bus-incident report or violates the rules above. The principal/designee shall provide supervision during bus arrival and departure times and receive reports (written and oral) from the drivers.

The principal shall insure that students comply with the specified regulations. Principals must maintain open lines of communication among school officials, bus drivers and the transportation department.

When waiting for a bus, or going to and from a bus stop, students are responsible for conducting themselves according to the social and legal mores that apply to adults in public. That is, they must not abuse or cause damage to private or public property; they must not use obscene language or gestures; they must not engage in criminal activity. Failure to adhere to these standards may result in formal complaints by citizens which may be forwarded to principals for possible corrective action.

Students provided with transportation are responsible for complying with the district's rules of conduct for students riding buses. Failure to adhere to these rules or abusive behavior towards the public, driver, fellow passengers or the vehicle constitutes justification for initiating corrective action against a student.

Abusive behavior on the part of a student riding a bus may result in a written report when, in the opinion of the driver or bus supervisor, there has been an infraction of the rules applicable to student conduct. The written report is the primary means by which a driver or bus supervisor communicates a student's conduct to the school and transportation department. This report, in most cases, reflects an infraction of rules which is repeated by the student after his/her having received previous oral warnings from the driver or bus supervisor. In order for drivers and bus supervisors to effectively maintain control on their buses, it is expected that action be exercised by principals when receiving such a report.

When a student's conduct constitutes an infraction of the rules, the driver or bus supervisor shall complete a report on the student describing the incident or damage that occurred. The driver or bus supervisor shall provide the student with a copy of the report, hand the original report to the principal and submit a copy to the transportation supervisor. The copy of the report concerning special education students shall be given to the principal for disposition.

The principal upon receiving the report shall investigate the circumstances surrounding the incident and take action according to the procedures set forth in the district's policies pertaining to corrective action and punishment. When investigating the incident, the primary concern must be with respect to the safe transport of students. Corrective action, if necessary, should be consistent throughout the district as follows:

A. Warning:

When a student's misconduct is of a minor nature which does not jeopardize the safety or welfare of other students or the operation of the bus.

B. Suspension of Bus Riding Privileges:

When a student's misconduct is deemed to jeopardize the safety of bus passengers and operation, or when repeated warning notices fail to correct abusive behavior, or when a student incurs damage to the bus.

C. Termination of Bus Riding Privileges:

When a student's misconduct is of such nature that the safety of the bus operation and/or of the occupants was willfully and seriously threatened (i.e., student assaulting the driver).

The action taken by the principal shall be annotated on the report and forwarded to the student's parent for signature. The transportation department shall be notified.

Drivers shall be advised to file assault and battery charges against students who physically assault them. Under no circumstances shall the driver retaliate in kind and physically assault the student as this conduct may subject him/her to legal action.

**Date: 2/26/79; 7/14/94; 8/20/96; 7/26/99; 11/5/01; 2/12/02; 5/27/03; 5/23/05; 2/11/14**