

## **Student Behavior, Rules of Conduct, Restorative Practices and Corrective Actions**

### **I. Student Behaviors and Rules of Conduct**

#### **A. Responsible, Respectful and Safe Student Behaviors**

The Board believes that responsible, respectful and safe student behaviors are positively associated with learning. The two main goals in dealing with student behavior are thus to: (1) develop and maintain a school environment where students and staff are responsible, respectful and safe; and (2) help students behave in ways that contribute to academic achievement and school success.

The Board believes that a responsible, respectful and safe environment along with achievement and success are strengthened when:

- School staff build positive relationships with students, actively engaged in each student's learning, and hold students to high expectations;
- School staff actively engage students in learning and use consistent and effective classroom procedures;
- The school and district climate align with the classroom;
- Students are provided clear rules of conduct;
- Effective restorative practices are used to prevent and respond to misbehavior; and
- Effective corrective actions are used after misbehavior occurs.

The Board also believes that positive and preventative behavioral systems, such as Positive Behavioral Interventions & Supports (PBIS) or social emotional learning are also valuable methods to affirmatively teach students behavioral expectations, recognize positive behavior, and provide additional supports or interventions for students who struggle to meet those expectations." In addition, the Board believes in providing staff with ongoing training related to establishing a positive and inclusive school culture. This includes topics related to cultural responsiveness, trauma sensitivity, response to interventions models, and supporting students with special needs.

#### **B. Rules of Conduct**

When developing and applying rules of conduct, the Board believes it is important to balance the needs of students, the needs of those affected by the behavior, and the needs of the overall school community.

The Board requires that all students who attend the district's schools comply with written rules of conduct set forth in the Procedure that accompanies this Policy and in the written student handbooks adopted by each school. Rules of conduct are applicable:

- During any school activity conducted on or off campus whether or not such activity is during the school day; and

- To student actions off school grounds that materially, substantially and negatively affect or interfere with the educational process (including but not limited to actions while engaged in district sanctioned transportation).

## **II. Restorative Practices and Corrective Action**

As described in more detail below, the District uses restorative practices and/or corrective action to address student behavior issues. The vast majority of student behavior issues should be addressed at the classroom level by teachers. Behaviors that cannot be addressed at this level should receive more intensive interventions. Staff are responsible for using those intensive interventions in a fair, consistent and non-discriminatory manner.

The standard approach to student behavior is to utilize Restorative Practices and seek to ensure that students remain connected to the learning environment and school community. Specific circumstances involving student behavior issues may require additional support in the form of corrective action. Corrective actions, defined in the following sections, include: discipline, suspension, expulsion, and emergency removal from the class, subject, or activity. The Board believes in applying Restorative Practices, and when needed, the lowest level of corrective action necessary to improve student behaviors and maintain a productive learning environment. This progression of support fosters a positive school and community atmosphere and nurtures an environment for all students to grow as productive citizens.

In that light, restorative practices and corrective action will be used without discrimination against racial, ethnic, and other culturally diverse populations, to include religion, ancestry, gender, socioeconomic status, sexual orientation, including gender expression or identity, mental or physical disability or other distinguishing characteristics. The District serves a diverse community. In order to serve all students and to prepare them to be members of an increasingly diverse community, school and staff must attempt to build an environment which supports cultural awareness and understanding, including the elimination of institutional racism and other discrimination that present barriers to success.

The District will annually review data on corrective actions taken against students within each school disaggregated by sex, race, limited English proficiency and disability, including students protected by the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. The review must include short-term suspensions, long-term suspensions, expulsions and emergency expulsions. In reviewing the data, the district will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionality is found, the District will take action to ensure that it is not the result of discrimination.

### **A. Restorative Practices**

Restorative Practices are based on principles that emphasize the importance of positive relationships as central to building community and involve processes that restore relationships when harm has occurred. When broadly and consistently implemented, Restorative approaches proactively build a school community based on cooperation, mutual understanding, trust and respect as well as promote and strengthen positive school culture and enhance pro-social relationships within the school community.

With Restorative Practices, all members of the school community share the responsibility of building and sustaining a positive school environment based on strong relationships and recognizes their role as a positive contributing member of the school community.

Restorative Practices promote building respectful and trusting relationships as the foundation for teaching and learning while providing meaningful opportunities for students to develop self-discipline and positive behaviors in a caring, supportive environment.

A restorative approach sees conflict or misbehavior as an opportunity for students to learn about the consequences of their actions, to develop empathy with others, and experience how to make amends in such a way as to strengthen the community bonds that may have been damaged. It views conflict primarily through the lens of the harm caused to people and relationships, and emphasizes the priority to meet the needs of those affected by this harm.

The Board believes in the use of restorative practices. Restorative practices are actions expected to be used by students who engage in misconduct, the student's parent/guardian, or other impacted members of the school community in order to:

- Understand the harm caused by the misconduct
- Identify and respond to the needs of the person harmed and the person who caused harm
- Encourage accountability and responsibility to the school community
- Reintegrate the student who caused harm in the school community
- Foster rich learning opportunities
- Build trust, respect, and relationships
- Establish mutual understanding
- Strengthen school culture
- Increase parent partnerships
- Promotes equitable input from all stakeholders

Examples of restorative practices may include, but are not limited to:

- mediation,
- apologies,
- relationship building,
- affective statements,
- community building circles,
- restorative dialogues/making agreements,
- repairing harm circles,
- restorative conferences, and/or
- restitution.

Restorative practices should be considered in all circumstances and could take the form of: (a) alternatives to or interventions in lieu of corrective action; and/or (b) supplemental action taken along with corrective actions.

Restorative practices are not a form of corrective action imposed upon a student. Thus, there is no separate grievance or appeal process for restorative practices.

## **B. Corrective Action**

The Board believes in the use of corrective action as a form of intensive intervention.

Corrective action takes the form of:

- Discipline,
- Suspension,
- Expulsion or
- Emergency removal from class, subject or activity.

Corrective action must be reasonable and fair under the circumstances. It must also reflect the Board's priority to maintain a safe and positive learning environment for all students and staff.

## **1. Discipline**

As a general rule, the District follows progressive discipline concepts. Progressive discipline may include, but is not limited to:

- Verbal or written warnings,
- Lunch/recess detention,
- Mediation,
- After-school detention, and/or
- Saturday school.

Progressive discipline steps may be skipped or repeated depending on Individual Factors, in the judgment of the school administrator.

Students and/or their parents/guardians will be provided a grievance procedure for addressing imposition of discipline.

## **2. Suspensions**

By law, suspensions are technically not considered "discipline". Instead, they are a different type of corrective action. Suspensions are short-term (not more than ten days) or long-term (more than ten days) and involve a denial of attendance from one or more subjects or classes.

Violations of the Rules of Conduct can generate either:

- Discretionary discipline or
- Non-discretionary discipline.

Those terms are defined in the Procedure. In addition, as used in the Policy and Procedure, the terms "non-discretionary discipline offenses", and "exceptional misconduct" shall mean the same thing.

For discretionary discipline offenses, the following applies:

- Students may never be long-term suspended.
- In addition, students may be short-term suspended only after another form of corrective action reasonably calculated to modify his or her conduct has previously been used with the student as a consequence of misconduct of the same nature.

For exceptional misconduct/ non-discretionary discipline offenses, the following applies:

- The student may be immediately suspended, either short-term or long-term regardless of whether another form of corrective action has been imposed.
- However, prior to imposing corrective action when a student engages in such an offense, a school administrator should consider:
  - Restorative practices,
  - Progressive discipline concepts,
  - Alternative actions and settings, and
  - Individual Factors.

For short and long term suspensions, school officials and hearing officers may reduce or overturn suspensions in cases involving extenuating or exceptional circumstances.

The superintendent, following consultation with a representative ad hoc citizens' committee, has recommended for Board adoption the specific misconduct deemed to be "exceptional misconduct."

The ad hoc citizen's committee shall be composed of three or more persons chosen by the Superintendent/designee, and shall be constituted with the intent and purpose of representing various socioeconomic, minority and majority populations of the school district to the extent deemed practical.

The exceptional misconduct descriptions are set forth in the Rules of Conduct accompanying this Policy and are hereby adopted by the Board. Non-discretionary discipline offenses have been set forth by the legislature and are also set forth in the Rules of Conduct accompanying this Policy.

Short-term suspended students and/or their parents/guardians will be provided a grievance procedure for addressing imposition of the suspension. See the Procedure accompanying this Policy for more detailed provisions regarding short-term suspensions.

No student will be long-term suspended for longer than the length of an academic term, which is defined by the school board as 90 school days.

Long-term suspended students and/or their parents/guardians will be provided a pre-hearing and hearing process for addressing the imposition of the suspension. See the Procedure accompanying this Policy for more detailed provisions regarding long-term suspensions.

The District will assist long-term suspended students in returning to school by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension.

### **3. Expulsions**

#### **a. Non-Emergency Expulsions**

Non-emergency expulsions are denials of attendance from school for a defined period of time not to exceed the length of an academic term, which is defined by the school board as 90 school days (unless a longer period of time is warranted based on public health or safety and is authorized after petition to the superintendent). No student shall be expelled unless:

- Other forms of corrective action reasonably calculated to modify his or her conduct have failed; or
- There is good reason to believe that other forms of corrective action would fail if used.

The District will assist expelled suspended students in returning to school by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's expulsion.

#### **b. Emergency Expulsions**

Emergency expulsions are a denial of attendance for up to, but not exceeding, ten (10) consecutive school days. An emergency expulsion requires: (a) good and sufficient reason to believe that a student's presence poses an immediate and continuing danger to other students or school staff; or (b) an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school.

#### **c. Pre-hearing and Hearing Processes**

Expelled students and/or their parents/guardians will be provided a pre-hearing and hearing process for addressing the imposition of the expulsion. See the Procedure accompanying this Policy for more detailed provisions regarding expulsions.

### **4. Removal from Class, Subject or Activity (Emergency Removal)**

A student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the building principal or a designated school authority. The teacher or administrator must have good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.

The removal from classes, subjects, or activities are labeled as "Emergency Removals" and shall be imposed in accordance with the procedure and subject to the limitations in the Procedure accompanying this Policy.

Emergency Removal is not discipline and thus there is no grievance or appeal process for the removal.

### **III. Procedures and Handbooks**

The superintendent will establish procedures necessary to implement this policy. The superintendent/designee will develop and make available to all students, their parents, and staff, handbooks pertaining to student rights, conduct, corrective actions and discipline. The superintendent/designee will also annually disseminate the discipline policies and procedures to students, families, and the community. The school principal and certificated employees in each school building will confer at least annually in order to develop and/or review: (1) building disciplinary standards; (2) uniform enforcement of those standards as related to the established student handbooks; and (3) notices required by the Drug-Free Schools and

Communities Act (Amendments of 1989).

In consultation with school district staff, students, families, and the community, the District will periodically review and update its discipline rules, policies, and procedures. The District will also use disaggregated data collected pursuant to RCW 28A.300.042 to monitor the impact of the school district's discipline policies and procedures. This data will be disaggregated into subgroups as required by RCW 28A.300.042.

The District will strive to provide the trainings developed by the Office of the Superintendent of Public Instruction pursuant to RCW 28A.415 to all school and district staff interacting with students, including instructional staff and non-instructional staff, as well as within a reasonable time following any substantive change to school discipline policies or procedures.

#### Cross References:

Policy 2121	Substance Abuse Program
Policy 2161	Special Education and Related Services for Eligible Student
Policy 2162	Education of Students with Disabilities under Section 504 of the Rehabilitation Act of 1973
Policy 3122	Excused and Unexcused Absences
Policy 3210	Nondiscrimination
Policy 3244	Prohibition of Corporal Punishment
Policy 3520	Student Fees, Fines or Charges
Policy 4210	Regulation of Dangerous Weapons on School Premises

#### Legal References:

RCW 28A.210.310	Prohibition on use of tobacco products on school property
RCW 28A.320.128	Notice and disclosure policies – Threats of violence—Student conduct – Immunity for good faith notice – Penalty
RCW 9A.16.100	Use of force on children — Policy — Actions presumed unreasonable
RCW 9.41.280	Possessing dangerous weapons on school facilities — Penalty — Exceptions
RCW 28A.150.240	Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty
RCW 28A.225.020	School's duties upon child's failure to attend school
RCW 28A.225.030	Petition to juvenile court for violations by a parent or child — School district responsibilities
RCW 28A.400.100	Principals and vice principals — Employment of — Qualifications — Duties
RCW 28A.400.110	Principal to assure appropriate student discipline — Building discipline standards — Classes to improve classroom management skills
RCW 28A.600.010	Enforcement of rules of conduct — Due process guarantees — Computation of days for short-term and long-term suspensions
RCW 28A.600.015	Rules incorporating due process guarantees of pupils with regard to expulsions and suspensions
RCW 28A.600.020	Exclusion of student from classroom — Written disciplinary procedures — Long-term suspension or expulsion
RCW 28A.600.022	Suspended or expelled students — Reengagement plan
RCW 28A.600.410	Alternatives to suspension — Encouraged

RCW 28A.600.460	Classroom discipline — Policies — Classroom placement of student offenders—Data on disciplinary actions
34 CFR Part 100.3	Regulations implementing Civil Rights Act of 1964 42 U.S.C. 2000d et seq. Civil Rights Act of 1964
WAC 392-190-048	Access to course offerings – Student discipline
WAC 392-400-220	Student Disciplinary boards — Establishment at option of school district — Functions
WAC 392-400-225	School district rules defining misconduct — Distribution of rules
WAC 392-400-230	Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students
RCW 28A.600.040	Pupils to comply with rules and regulations
RCW 28A.635.060	Defacing or injuring school property — Liability of pupil, parent or guardian - Withholding grades, diploma, or transcripts — Suspension and restitution — Voluntary work program as alternative — Rights protected
RCW 28A.635.090	Interference by force or violence – Penalty
RCW 28A.635.100	Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful—Penalty
RCW 4.24.190	Action against parent for willful injury to property by minor — Monetary limitation — Common law liability preserved
RCW 9.41	Firearms and dangerous weapons
RCW 9.91.160	Personal protection spray devices
WAC 392-400-215	Student rights
WAC 392-400-225	School district rules defining misconduct — Distribution of rules
WAC 392-400-226	School district rules defining harassment, intimidation and bullying prevention policies and procedures –Distribution of rules
WAC 392-400-227	School district rules defining students’ religious rights
WAC 392-400-233	Unexcused absences and tardiness

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 Superintendent: Dr. Shelley K. Redinger