

Chapter 4

Discipline

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Chapter 4 Discipline

The 3 Most Important Things to Remember about Discipline

- ◆ Students have a right to an education, even if they misbehave at school.
- ◆ Students have a right to challenge removals for misbehavior if the discipline is not fair or if there is a disagreement about what happened.
- ◆ Students have a right to receive notice about why they are removed and for how long they will be excluded. They also have a right to fairness in their discipline appeal.

I. Introduction

Every child and young person has a right to education. The right to education is an important one that is protected by Washington's Constitution and laws. However, if students break school rules, school districts are allowed to take action to correct the behavior or to prevent it from happening again. Schools must make sure that students have a chance to tell their side of the story and make an argument about whether the discipline is appropriate and fair.

This Chapter gives information about the ways that a school district can punish behavior. It also explains how students can challenge discipline when it's not appropriate and fair.

Most of the laws referenced in this Chapter can be found in Appendix D in the back of the Manual. Also in the back of this Manual is a Section called How to Read Citations and Find the Law.

II. How and Why Students Can be Disciplined

Where you can have an impact

Understanding the rules and showing an interest in your student's education are good ways of preventing school exclusion

Take time to talk with your students and help them make good decisions about what they do at or bring to school.

Schools are often quick to discipline, suspend, or expel students who schools think have broken the rules.

What are a student's responsibilities at school?

- Attend school and be on time to class.
- Follow school rules.
- Behave on the bus and follow the driver's directions.
- Show respect to other students and school staff.
- Don't bring drugs, alcoholic beverages, or tobacco products to school.
- Don't bring or have weapons on school property or carry weapons on the way to and from school. A weapon is anything that can be used to threaten or intimidate people.
- Don't participate in any gangs or gang-related activity at school. A "gang" means a group of three or more people, with a leader, that on an ongoing basis regularly plans and acts together to do illegal things. Schools often have policies forbidding students from using gang signals, wearing gang symbols or colors, recruiting gang members, or advertising that they are in a gang.

How do students know what behavior is expected?

All students should receive a copy of the school rules. If your student didn't get one, ask for it from the school office.

Read the school rules. If they are confusing, ask the school Principal for clarification.

What happens if a student misbehaves at school?

Teachers and school administrators can use a variety of methods to discipline or correct the action of a student. See *WAC 392-400-205 in Appendix D of this Manual.*

For example, schools can:

- Send a student home early.
- Require a conference with the teacher, principal, or other student involved in the alleged behavior.
- Impose an in-school suspension or detention.
- Refer the student for outside help such as counseling or a drug and alcohol evaluation.

- Immediately remove the student from school (called an “emergency expulsion”).
- Suspend the student for a certain number of days.
- Expel the student for up to one year.
- Call the police or make a referral to juvenile court if a crime is alleged to have been committed.

III. Limits on Discipline

Are there limits to the discipline that a school district can impose?

Yes.

Teachers and other school staff may not verbally or physically abuse students.

Students are entitled to an opportunity to challenge the discipline.

Discipline must be fair and must be warranted by the disciplined student’s behavior. Discipline excluding students from school may not last longer than one calendar year.

What is corporal punishment, and is it allowed in schools?

Corporal punishment means intentionally causing physical pain to a student. It has not been allowed in Washington State since September 1, 1994. The ban on corporal punishment does not include situations where a school staff person uses physical force necessary to maintain order or to prevent a student from harming himself or herself, other students, school staff, or property. See WAC 392-400-235(3) in Appendix D of this Manual.

IV. Student Rights When Removed from School

What are a student's rights when kicked out of school?

The school administrator (usually a Principal or Vice Principal) must:

1. Tell the student that he or she will be suspended or expelled.
2. Give reasons for kicking a student out and explain which rule was broken.
3. Give the student a chance to tell his or her side of the story.

A student's rights are slightly different depending on what discipline the district proposes. The rest of this Chapter discusses rights and procedures for challenging:

- **Short-term suspension**
- **Long-term suspension**
- **Expulsion**
- **Emergency expulsion**

Who is considered a "parent" in general education discipline matters?

The law does not define the word "parent" for general education discipline matters.

In the laws that deal with general education, there are numerous references to "parents." "Parents" hold many of the rights in the laws and must be the ones to receive notices and initiate certain appeals processes. The definition of parent is not clear in all circumstances. In the case of general education discipline, there is no definition for the word "parent."

So who is a "parent" for purposes of general education discipline issues? Without specific guidance in the law, some districts create their own definition for local district policy. Other districts may not have any policy at all on the issue and decide who is a "parent" on a case-by-case basis. In our society, many people who are not the biological parent take on the role of parents for children. It does not make sense to deprive those children of their caretakers' involvement in school issues.

If you are acting like a parent for a student or have some type of legal responsibility for a student, ask to be treated like the parent. Many districts are happy to work with someone who cares for the student and who is essentially taking the place of an absent parent. If a district refuses to allow you to participate, try to determine why. Ask to see the local district policy defining “parent.” If the policy excludes you, consider meeting with the Superintendent and asking for an exception to the policy. If the district does not have a policy, ask to speak with the Superintendent and discuss with him or her why you should be treated as a decision-maker in the situation.

V. Short-Term Suspension

Where you can have an impact **Challenging a short-term suspension**

Ask for an informal conference to talk about the behavior.

Work with school staff on ways to prevent the problematic behavior from happening again.

Schools will often not observe the right of the student to have this informal conference before the suspension. Do not hesitate to remind the school that they must allow the student the conference before serving the suspension.

What is a short-term suspension?

A short-term suspension is a disciplinary exclusion for up to ten school days. See WAC 392-400-205(3) in Appendix D.

What are a student’s basic rights?

Schools must try other ways to correct problem behavior before using a short-term suspension.

A student serving a short-term suspension must be allowed to make up missed schoolwork if the suspension will have a substantial effect on grades or prevent the student from getting credit for the course.

Kindergarten to 4th-graders cannot be short-term suspended for a total of more than 10 days in a term. Students in grades 5 and above cannot be short-term suspended for a total of more than 15 days in a semester or 10 days in a trimester.

What is the process?

Students have the right to an informal conference with school district administration **before** serving the suspension. The student has a right to give his or her side of the story at the informal conference. See WAC 392-400-250 in Appendix D.

Before the informal conference, the school must give the student an oral or written notice describing:

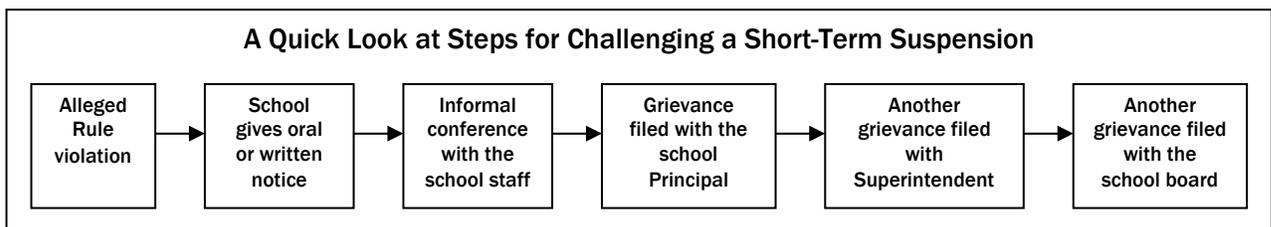
1. The alleged bad behavior.
2. The school district rule that was broken.
3. An explanation of the facts showing that the bad behavior really happened.
4. An explanation of the corrective action or discipline that the school district wants to impose.

If the suspension is going to last more than one calendar day, the district must provide written and/or oral notice to the student's family. See WAC 392-400-250 in Appendix D.

What if the student is still unhappy with the short-term suspension after an informal conference?

A student or his or her family can file a grievance with the Principal. A grievance is a statement of why the student is unhappy with the short-term suspension. The Principal must hold an informal conference to try to resolve the grievance. During the conference, the Principal can ask questions of the student, the student's parent or guardian, and the school staff involved in the matter.

If the student or his or her family is still unhappy after the grievance conference, another grievance can be filed with the Superintendent and then a third with the school board. Further challenge of the short-term suspension would most likely need to occur in court. See WAC 392-400-255 in Appendix D.



VI. Long-term Suspension

Where you can have an impact
Challenging a long-term suspension

Request a hearing as soon as you receive a notice. Timelines are very short, in this case **three school business days**. If you miss the timeline, you may lose your chance to challenge the suspension.

Put the hearing request in writing. Write specifically that you want a hearing for the suspension, and specify when the suspension was given.

Deliver it to the school or board office, whichever is specified in the notice.

Keep a copy of your request. Ask the person receiving it to stamp or write the date and his or her initials on your copy.

Expect the hearing to be scheduled within three days. Tell the school that you expect your student to be in school before the hearing occurs and out of school for no longer than ten days before the hearing decision is given, per RCW 28A.600.015, in Appendix D. If you need more time to prepare for the hearing, ask for it.

What is a long-term suspension?

A long-term suspension (LTS) is a disciplinary exclusion from school for a definite period of time of more than 10 school days in a row. See WAC 392-400-205(4) in Appendix D.

What are a student's basic rights?

The nature and circumstance of the rule violation must warrant a long-term suspension. This means that the discipline must be appropriate for the behavior.

The school must also first try other ways to address the behavior, unless the rule violation is "exceptional misconduct." Exceptional misconduct is a category of bad behavior that can be punished more harshly. School districts should have a list of what falls into the exceptional misconduct category. If it is not listed in your school rules, ask the school district for a copy.

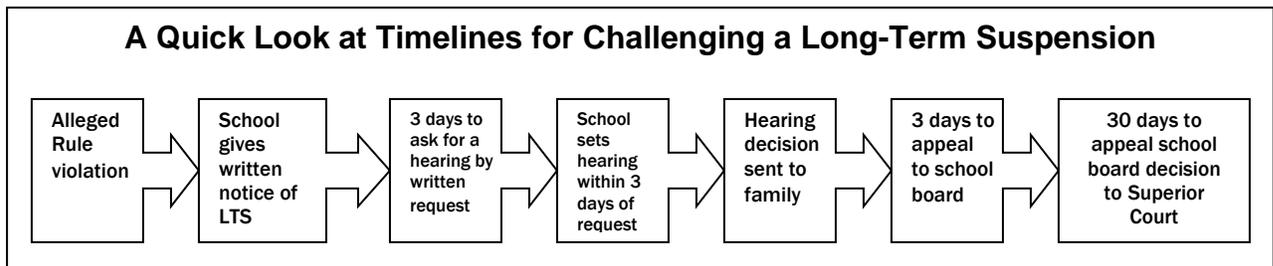
Students in Kindergarten through 4th grade cannot be given long-term suspensions. Students in 5th grade or above cannot be given a long-term suspension if it will cause a loss of academic grades or credit for more than one semester or trimester during the same school year. Long-term suspensions may not be imposed in any school year besides the one in which the behavior occurs.

Students and their parents have three school business days to request a hearing to challenge the long-term suspension. See WAC 392-400-265 in Appendix D.

Students have the right to a reengagement meeting to discuss a plan to reengage in a school program. This meeting should be scheduled by the school within 20 days of the start of the long-term suspension and no later than five days before the student's return to school, but you may ask to schedule one if the school does not. See WAC 392-400-420 in Appendix D and Section XII in this Chapter, which talks about reengagement meetings.

What is the process?

- Schools must give written notice to the student and his or her parent or guardian before imposing the long-term suspension.
- The notice must be delivered in person or by certified mail.
- The notice must:
 - › Be in the language the family primarily uses at home.
 - › Describe the things the student is supposed to have done wrong.
 - › Identify the rule that was broken.
 - › Describe the discipline.
 - › Explain the right to a hearing, how to request a hearing, and the timelines for making a request.



VII. Emergency Expulsion

What is an emergency expulsion?

An **emergency expulsion** is an immediate removal from school for an indefinite period of time, but no more than ten days. See *WAC 392-400-295 in Appendix D*.

What are a student's basic rights?

Schools can expel a student on an emergency basis when there is good and sufficient reason to believe that the student's presence would be unsafe to him/herself or to others. Schools can also order an emergency expulsion if the student's presence presents an immediate and continuing threat of substantial disruption to the education process. Often, schools will emergency expel students for being disruptive to the education process, even when there is no emergency. If the school has issued an emergency expulsion where no

Where you can have an impact
Challenging an emergency expulsion

Make a written request for a hearing as soon as you receive a notice.

Timelines are very short, in this case within **three school business days** after receiving the notice. If you miss the timeline, you may lose your chance to challenge the emergency expulsion.

Emergency expulsions may not last longer than ten school days. If the school has not converted your student's emergency expulsion to a long-term suspension or expulsion after ten days, your student should be allowed to go back to school.

If the school does convert the emergency expulsion, you may challenge that discipline separately. See Sections VI and VII of this Chapter.

emergency or threat to the educational process exists, challenge it immediately on that basis.

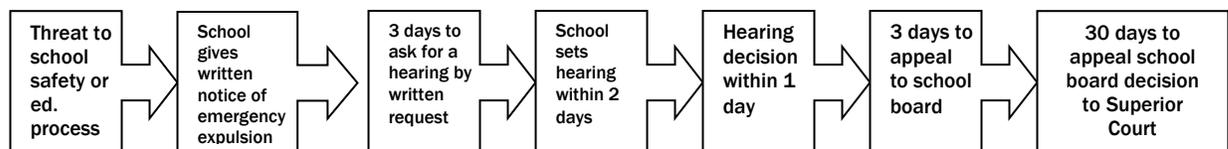
Emergency expulsions might not have a definite ending time when notice is given, though they must end within ten days. They continue until the school district says that the "emergency" is over, until a hearing officer ends it as a result of a hearing, or until the tenth day, when it must end or be converted to a suspension or expulsion.

If an emergency expulsion is converted to a suspension or expulsion, the school must provide the notice and hearing rights associated with those forms of discipline. You may request a hearing for a converted emergency expulsion, regardless of whether you requested one for the emergency expulsion. See Sections VI and VII of this Manual for the hearing processes for long-term suspensions and expulsions.

What is the process?

- Schools must give written notice to the student and his or her parent or guardian.
- The notice must be hand-delivered or sent by certified mail within 24 hours of the expulsion.
- In addition to the written notice, the school must try to notify the student and family by telephone or in person as soon as reasonably possible.
- The written and oral notice must:
 - Be in the predominant language of the family.
 - Describe the things the student is supposed to have done wrong.
 - Identify the rule that was broken.
 - Describe the discipline.
 - Explain the right to a hearing, how to request a hearing, and the timelines for making a request.

A Quick Look at Timelines for Challenging an Emergency Expulsion



VIII. Expulsion

Where you can have an impact

Request a hearing as soon as you receive a notice. Timelines are very short, in this case **three school business days.** If you miss the timeline, you may lose your chance to challenge the expulsion.

Put the hearing request in writing. Write specifically that you want a hearing for the expulsion, and specify when the expulsion was given.

Deliver it to the school or board office, whichever is specified in the notice. Keep a copy of your request. Ask the person receiving it to stamp or write the date and his or her initials on your copy.

Expect the hearing to be scheduled within three days. Tell the school that you expect your student to be in school before the hearing occurs and out of school for no longer than ten days before the hearing decision per *RCW 28A.600.015, in Appendix D.* If you need more time to prepare for the hearing, ask for it.

Review advocacy basics in Chapter 1, Section X of this Chapter on discipline hearings, and Section XI of this Chapter on Behavior Charged as a Crime.

What is an expulsion?

An expulsion is an exclusion from school for up to one calendar year, unless the school petitions the district superintendent for an extension and the superintendent authorizes the extension. An expulsion can also include a denial of admission to or entry on property owned, leased, rented, or controlled by a school district. See *WAC 392-400-205(5) in Appendix D.*

What are a student's basic rights?

The nature and circumstance of the rule violation must warrant the harshness of an expulsion. Expulsions should only be used for very serious violations of school rules, but schools often expel students for repeat violations of more minor rules.

The school must try other ways to address the behavior first, unless other ways have been tried and failed or there is good reason to believe that other forms of corrective action or discipline wouldn't change the student's behavior.

Expelled students can ask to be readmitted at any time with a petition for readmission written to the school district. See Section XIII in this Chapter, which talks about petitioning for readmission.

Students have three school business days to request a hearing to challenge the expulsion. See *WAC 392-400-280 in Appendix D.*

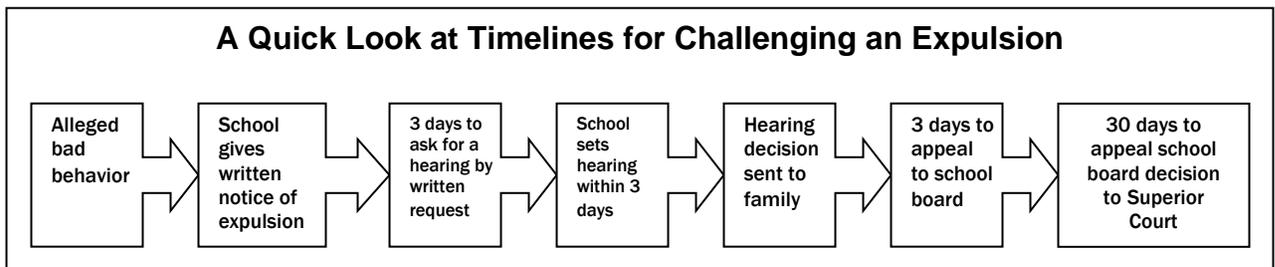
Expelled students have the right to a reengagement meeting to discuss a plan to reengage in a school program. This meeting should be scheduled by the school within twenty days of the start of the expulsion, but you may ask to schedule one if the school does not. See *WAC 392-400-420 in Appendix D* and Section XIII in this Chapter, which talks about reengagement meetings.

If the school submits a petition for an extension of an expulsion past one calendar year, the student has the right to submit a written response to the petition within ten school business days and if the petition is granted, the student has the right to appeal

the decision to the district's school board. See WAC 392-400-410(5),(7) in Appendix D and Section VIII of this Chapter.

What is the process?

- Schools must give written notice to the student and his or her parent or guardian before imposing the expulsion.
- The notice must be delivered in person or by certified mail.
- The notice must:
 - Be in the predominant language of the family.
 - Describe the things the student is supposed to have done wrong.
 - Identify the rule that was broken.
 - Describe the discipline.
 - Identify the date on which the expulsion is to end.
 - Explain the right to a hearing, how to request a hearing, and the timelines for making a request.



IX. Schools' Appeals for Expulsion Extensions Beyond One Year

What happens if the school appeals for an extension?

All expulsions should have an end date within one calendar year of the first day of the student's removal from school. The school may appeal for an extension of this limit if it believes it has evidence that the student's return to school would be a risk to public health or safety. To do this, the school must submit a petition to the school district's superintendent **before** the end of the expulsion. The Superintendent should only grant the petition in limited circumstances.

In its written petition, the school must:

- Describe in detail what the student is alleged to have done wrong.
- Describe the student’s academic, attendance, and discipline history.
- Describe what lesser forms of discipline were considered and why they were not chosen.
- Describe all alternative educational programs and services which may be available to the student.
- Specify the proposed extended length of the expulsion.
- Specify a proposed date for a reengagement meeting.
- Describe all special education or 504 accommodations, if applicable to the student.

The school must deliver the petition in person or by certified mail to the student and his or her parent or guardian. It must be provided in the predominant language of the family.

The student and family may then submit to the superintendent a written or verbal response to the petition within ten school days after receiving the petition.

The superintendent should wait until at least the eleventh school day after the petition is delivered to the student in order to give the student the opportunity to respond. No later than twenty days after the petition is delivered to the student, the superintendent should issue a decision as to whether the expulsion may be extended. This decision should also let students and families know of their right to appeal this decision to the school board. A request for an appeal to the school board needs to be made within ten school days of receiving the superintendent’s decision. See *WAC 392-400-410(7) in Appendix D*.

X. Discipline Hearings

What should I know about discipline hearings?

A discipline hearing is an opportunity for your student to challenge the claims that he or she did something wrong and/or the amount of punishment he or she is receiving. Even if your student admits to the wrongdoing, the hearing can be used to make sure that the discipline is fair. For example, the hearing officer might decide that the student did break a rule, but that the punishment is too long.

Where you can have an impact

In the case of long-term suspension or expulsion, the student has the right to remain in school until the hearing is over. In the case of emergency expulsion, however, there is no such right. As a result, school districts often use emergency expulsion as a first step before they decide to impose a long-term suspension or expulsion. If the school has issued an emergency expulsion where no emergency or threat to the educational process exists, challenge it immediately on that basis.

The hearing officer is appointed by the school district and may not be the most objective decision-maker. Do not get discouraged by this; your student still has rights. Keep advocating for them.

When will it be scheduled?

Once a hearing is requested, the school district must schedule it within 3 school business days for an expulsion or long-term suspension hearing and within 2 school days for an emergency expulsion hearing. If you need to, ask the school district for more time to prepare or to find an attorney.

Who will make decisions at the hearing?

A hearing officer appointed by the school district will make a decision after listening to the student and the district give their sides of the case. The hearing officer can be an employee of the school district but cannot be someone who is also a witness. This means that the hearing officer can't be someone who took part in the original decision to suspend or expel the student.

What can I expect at the hearing?

The hearing can be formal or informal depending on how the hearing officer wants to handle it. The hearing is tape-recorded. The hearing officer may want a short statement at the beginning about why the student is appealing and what the student wants the hearing officer to do (e.g., overturn the suspension, let the student come back to school). Usually, the district will go first and present documents, witnesses, and reasons why the student should be punished. If the student and family feels that something being said isn't fair, they should raise their hand, say they object, and say why. They don't need a legal reason to object, but they do need something more than just disagreement with what is being said or wanting tell their side of the story. The student and family will also get an opportunity to present documents, witnesses, and reasons why the student should not be punished in the way proposed by the district.

The hearing officer may make a decision at the end of the hearing or wait to send it in writing. Even if the decision is given orally, the hearing officer must also send a written decision to the student and family. Hearing officers must make decisions about emergency expulsion hearings within one school business day after the hearing.

**Where you can have an impact
Caregivers and Caseworkers**

Although sometimes it is helpful to have an attorney for school discipline hearings, the process is meant to be accessible to families, not just lawyers. You can be a strong advocate for the student.

Discipline hearings may be informal, and they provide an opportunity not only to challenge whether the student did what the school says he or she did, but also whether the discipline is appropriate. Districts will often reduce disciplinary sanctions when people supporting the student work with the district to develop a plan for re-entry into school.

Be cautious, however, if the school district requests that your student undergo a risk assessment by a mental health practitioner as a condition of re-entry. Consult an attorney before agreeing to this.

What can I do to prepare for a discipline hearing?

- See Chapter 1 of this Manual. The Section on hearings has many helpful hints on how to prepare for a hearing.
- Look at the school district's evidence. Before the hearing, you have a right to review the information that the school district plans to present. Ask for it. If the school presents information at the hearing that they didn't share with you – object! Ask the hearing officer to keep the materials out. It's not fair for the school to surprise you with new evidence at the hearing. It doesn't allow you time to prepare for it and to respond. Just delaying the hearing isn't fair, either.
- Prepare your case by figuring out where you disagree with the district—think about whether you agree with the facts and the fairness of the discipline. Is there another explanation of what happened? Are there reasons for less or no removal from school?
- Bring documents and witnesses to the hearing. Remember to share documents with the school ahead of time, too. They should support your side of the story or your proposal for corrective action. Make 3 copies of the documents you want to present—one copy for the hearing officer, one copy for the school district, and one copy for you to use. Write out questions that you want to ask your witnesses.
- Think of what school district witnesses might say (or not say) at the hearing. You have a right to ask them questions. You also have the right to question the people accusing the student of bad behavior.
- Bring a lawyer if you can. Students and their families have a right to be represented by legal counsel. See Chapter 7 for a list of resources, including legal services and advocacy groups.

What if we lose the hearing?

You will receive a written hearing decision. It will tell you whether you won or lost the case. Read it and decide if you want to have another decision-maker review it. This is called an appeal. Both the student and family have a right to appeal a hearing officer's decision. The appeal must be requested within 3 school business days of receiving the hearing officer's

decision. The hearing decision should give you instructions on when and how to appeal. If it does not and you want to appeal, submit a new request to the school the same way you made your request for the first appeal hearing.

Appeals are heard by the school board or an appeals council designated by the school board.

A meeting will be set up within 10 school business days of the request for an appeal. The student and family should be given the opportunity to present their case. The school board or an appeals council will decide whether to study the record and make its own decision, hear further argument, or hear the case *de novo* (basically start all over again). Further appeal would be made to superior court within 30 days.

XI. Behavior Charged as a Crime

Where you can have an impact

If you think there is any possibility that the school has or will refer your student to juvenile court, have your student consult the public defender or other criminal defense attorney before speaking with the school, any school security officer, or law enforcement.

If your student needs more time to consult with an attorney, consider either telling the school that you would like to delay your discipline hearing or hold it without the student speaking about the alleged behavior.

Can the school district call the police when a student gets in trouble?

Yes.

Schools can report crimes committed by students. They might not tell you when they have, and it may not always be obvious to you that the alleged behavior could be charged as a crime. Even if no charges have been filed yet, or the police haven't called the student yet, they still could at a later date.

What if the incident is filed as a crime?

If the alleged behavior at school is referred to juvenile court and is charged as a crime, the young person will have either a public defender or other criminal defense attorney to represent him or her on the charges. Be sure to encourage the youth to talk to his or her defense attorney to determine how the school discipline case might affect the criminal case. For example, it may not be a good idea for the student to make statements in a school discipline hearing if the criminal matter has not yet been resolved. Those statements could be used against the student in the criminal case.

The defense attorney should also be made aware of any disabilities that might impact whether the youth should be charged or not. For example, if the young person has a very low

I.Q., the court may decide that it isn't right to take the case through the juvenile court process. If your student allows, it might be helpful for the defense attorney to have access to IEP records.

XII. Education While Suspended or Expelled

Does a general education student have a right to educational services during a suspension or expulsion?

Maybe.

Students have a constitutional right to education in Washington. While it has not yet been decided by a court of law, you should argue that under Washington's Constitution, students are entitled to some kind of basic educational services or alternative schooling while suspended or expelled. Ask the school district for alternative education or other educational services for the student.

XIII. Readmission to School After an Expulsion or Suspension

How and when can an expelled or suspended student get back into school?

There are several ways:

- **Wait** for the time period of the suspension or expulsion to run out.
- **Petition for readmission**—ask to be let back into school. Students have a right to petition for readmission at any time before the expulsion or suspension runs out.
- Ask for **alternative education**.
- Advocate for readmission during a **reengagement meeting**. See Section XII in this Chapter for information about reengagement meetings.
- Try **enrolling in another school** or district.

Where you can have an impact

Positive information is key to successful readmission petitions.

School districts want to hear that the student has learned from their discipline and that they will not engage in the same behavior again. Positive information about what the student has done since the incident, including:

- Getting into counseling
- Completing anger management
- Participating in drug/alcohol treatment
- Attending another school program
- Working
- Participating in activities with peers—sports, arts classes, camp, etc.
- Being involved in organized groups—church, scouts, team sports
- Volunteering and community service

What is alternative education and how do I find out if it is offered in my district?

Alternative education means public education provided in a setting or way that is different from the regular public school. Some school districts offer alternative education through re-entry programs, internet or computer learning classes, community colleges, and special schools. An expelled or suspended student can ask the district for an alternative education program during the time that he or she is not allowed to attend the regular public school.

What is a petition for readmission and how is it done?

Students who have been long-term suspended or expelled from school can ask to be readmitted into school at any time during the exclusion. See WAC 392-400-245(7), 392-400-260(6) and 392-400-275(5) in Appendix D. An example of a readmission petition is also provided in Appendix E.

School districts must develop policies regarding readmission requirements. Ask for a copy of the readmission process. If the school district does not have a readmission policy, ask the Principal or Superintendent's office for information. You can ask questions like:

- Where should the petition for readmission be sent?
- What should be included in the petition?
- Who decides whether to approve or deny the petition?
- Will there be an opportunity to speak to the decision-makers?
- Can the student bring people to help make the case for readmission?
- Are there any expectations that the student should try to meet in order to get the petition approved?

School districts are not required to accept all students who petition for readmission prior to the end of a suspension or expulsion. A petition for readmission might be more successful if the student takes special care in putting it together.

How can I make the petition for readmission strong?

1. Gather information about positive things the student has done since the incident.
2. Ask other adults, mentors, and supervisors to write letters of support.
3. Bring supporters to the meeting where the petition for readmission is reviewed, if there is one.
4. Help the student outline his or her goals, strengths, and interests. Include this information in the petition for readmission. Encourage the student to express in his or her own words why he or she wants to go back to school.
5. Think creatively about ways that the student could return to school. For example, if the district seems reluctant to grant the petition, try proposing that when the student returns to school each day that they check in with a designated school staff person such as a counselor, the student could return to school for a probationary period, attend half days, abide by a behavior plan, or get extra support. The district may be more willing to let the student back in gradually or with support.

XIV. Reengagement Meetings

What should I know about reengagement meetings?

A reengagement meeting is an opportunity for the student, the student's family, and the school to develop a plan to reengage any student excluded from school for more than 10 days. Missing even a short amount of school can cause a student to become very behind in their learning. For students who miss at least 10 days due to an exclusion, a reengagement plan is essential to getting back on track both while the student is out and when they come back to school.

When will it be scheduled?

The school should contact the student and the student's family to schedule a reengagement meeting within 20 days of the beginning of the long-term suspension or expulsion. In no case should the reengagement meeting be scheduled for later than five days before the student's return to school. Thus, if the

**Where you can have
an impact
Caregivers and
Caseworkers**

You can be a strong advocate for the student at reengagement meetings. They provide an opportunity for you to connect with the school and improve your student's ability to succeed in school and life. Go into a reengagement meeting, planning to work collaboratively to develop a plan to return the student to school, amend the situation that led to the student's exclusion, and ensure safety for the student and the school.

student's suspension is for 20 days, the reengagement meeting should be scheduled within 15 days of the beginning of the suspension. The law requiring reengagement meetings went into effect in 2014 and is still a new concept to many schools. Some may wait until the very end of the exclusion to schedule a reengagement meeting, and some might not schedule a reengagement meeting at all. Because of this, it is a good idea for you to request your reengagement meeting as soon as the school exclusion begins. Nothing in the law says that the reengagement meeting cannot be held earlier than the 20th day from the beginning of the exclusion.

What can I expect at the meeting?

The point of the meeting is to develop a reengagement plan. In designing the plan, school districts are required to:

- › Consider shortening the suspension or expulsion.
- › Consider using a different form of discipline.
- › Consider using other supportive interventions to help the student engage in education and stay or get back on track to graduate.
- › Tailor the plan to the student's individual circumstances.
- › Tailor the plan to help the student take steps to better deal with whatever situation led the student's suspension or expulsion.
- › Not treat the reengagement meeting as a replacement for the right to a petition for readmission.

What can I do to prepare for a reengagement meeting?

- › Reflect on how the student's behavior might have looked through the school's eyes.
- › Have the facts as you know them prepared to share with the school.
- › Think of ways the student might be able to keep up academically and earn credits while out of school.
- › Talk with the student and discuss your goals for returning the student to school as soon as possible.

- Reflect on what support, resources, and skills you and the student might need to prevent future problems.
- Think of ways the student may be able to repair damaged relationships with other parties at school.
- Think of positive activities the student could be doing in and out of school.
- Think about what sort of communication about progress you would like to have with the school once the student is returned to school.
- Review the model meeting template as an option for use at the meeting. It is in the back of this Manual in the Forms and Samples section.
- The school administrator(s) running the readmission meeting will likely want to hear most from the student, as well as possibly the parent or guardian. The administrator may ask the student hard and uncomfortable questions as well as lecture the student about his or her past actions. The student and the parent/guardian should be prepared for this environment.

XV. Conclusion

Education is critical to a young person's success, and it is a constitutional right in Washington. When a child or youth in your care misbehaves or has problems in school, have confidence in him or her and be an advocate. Help the student get back on track and back into an educational program.

Keep the lines of communication open with the school, so that you can try to avoid the need for school discipline before it is imposed. Know about the student's behavior at school by keeping in touch with teachers and administrators. Whenever there is an incident at school, ask for a meeting to talk about it. This will help you and the school address problem behavior better and also make sure the school is following the rules when imposing discipline.

When behavior has been a consistent problem, consider making a special education referral to evaluate the student. This could help determine whether there is a more serious emotional or behavioral disorder impairing the student's ability to learn. The student may be eligible for help. See Chapter 3 of this Manual for information on special education referrals. Finally, keep all of the documentation you receive about school discipline.

Action Points – Discipline

- Read the front and back of all notices.
- Look for and follow instructions for requesting a hearing or conference.
- Act quickly to request a hearing. Timelines are short.
- Prepare for a hearing by:
 - Gathering records.
 - Preparing questions for witnesses.
 - Making 3 copies of important documents for the hearing.
 - Bringing a lawyer or advocate to the hearing if you can.
- Talk to a lawyer to get advice on your student's rights.
- Talk to your student's public defender if there are criminal charges.
- Make sure a reengagement meeting is scheduled and prepare to make it meaningful.
- Petition for readmission by writing a letter to the Superintendent.
- Enforce the one-year maximum for expulsions if the school does not successfully apply for an extension.
- Help construct creative ways to deal with problem behavior. Suspension/expulsion is just one way, and it might not be the most effective.

Tips for Youth

School Discipline

If you have been suspended, expelled or just kicked out of school—it makes it hard to get an education. As a student, you have to follow school rules, but even when you are in trouble, you have rights.

If you are removed from school for breaking a rule, the school must:

- Give you notice that tells you what you did wrong and which rule was broken.
- Make the punishment fit the behavior.
- Give you a chance to tell your side of the story in a hearing or a conference with school staff.

If you want to challenge the punishment, you need to:

- Act fast once you receive the notice.
- You have a right to a hearing or informal conference, but you need to request one in writing right away.
- If you don't act fast, you might lose your chance to challenge the disciplinary action.

Second chances.

Even if you are expelled or suspended for a long time, you have a right to ask the superintendent to let you back into school. This is a **Petition for Readmission**. Send your petition for readmission to the Superintendent of your school district. Let the Superintendent know what you are doing and why the district should consider letting you back in. Include with your petition letters and notes from your supporters—counselors, parents, employers, teachers. You also have a right for a **reengagement meeting**, to ensure that you remain engaged with your learning and on track for progress in school while you are out of school and when you get back to school.

You can do things to show you are ready to be back in school:

Participate in counseling
Volunteer
Find a tutor
Get a mentor
Get a job and do well
Ask for help from adults
Do well in another school