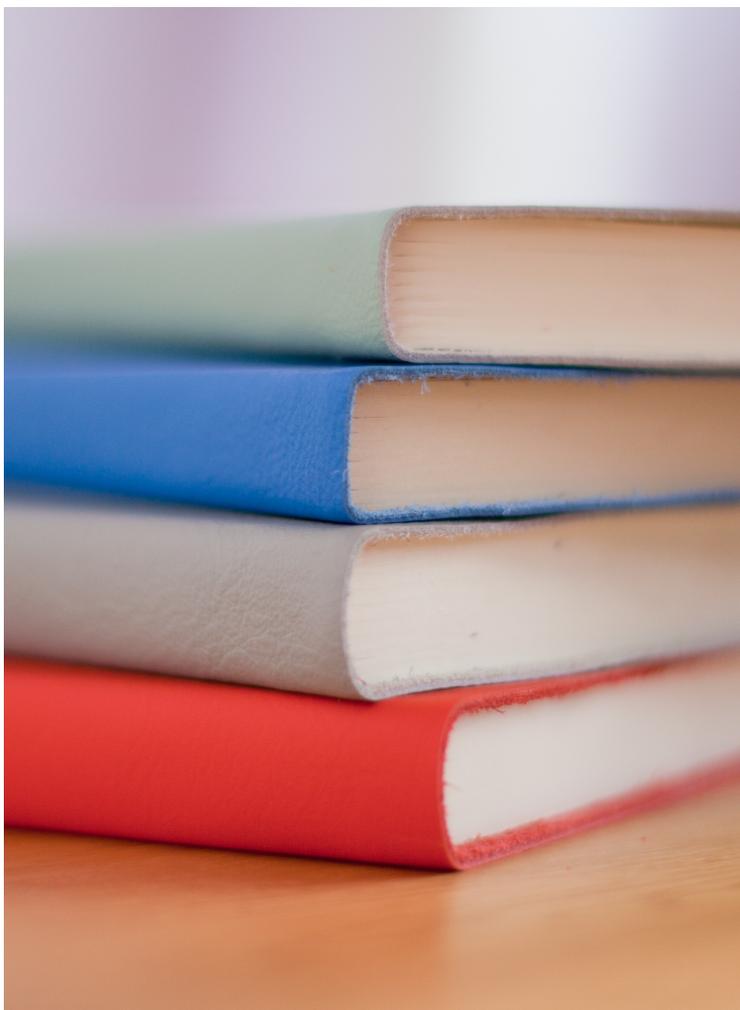




# Discipline Q&A

## What behaviors can result in discipline?

Each school district adopts its own policies that describe which behaviors are and are not acceptable. The policies must be available to students, parents, and families. Also, school districts must involve students, parents, and families when developing and updating its policies. If you are not familiar with your school's discipline policy ask the principal or a school administrator for a copy. If you are interested in changing local discipline policies, consider attending a school board meeting or contacting the school district superintendent to ask how you can get involved.



## What actions can a school district use in response to behavioral violations?

1. Oral or written feedback
2. Parent notification or conferences
3. Increased supervision
4. Loss of privileges
5. Lunch or afterschool detention
6. Behavior monitoring or a behavior contract
7. In-school or out-of-school suspension
8. Restorative justice practices
9. Counseling or behavioral health services
10. Community service or restitution
11. Student support services

Inflicting physical pain on students or withholding a nutritional meal from students as a discipline action are both prohibited.

## For how long can a school district suspend or expel a student?

Suspension and expulsions must have an end date. For the most part, no suspension or expulsion can extend past the end of that academic term (such as a semester or quarter). For example, a student could be suspended through the December holiday break, but the suspension must end when classes resume in January.

A short-term suspension may not exceed 10 consecutive school days. Additionally, state law limits the total number of days that a school district can issue short-term suspension to any individual student. Students in kindergarten through fourth grade cannot be suspended for more than ten cumulative school days during any academic term. Students in grades five through twelve cannot be suspended for more than ten cumulative school

days during any single trimester or fifteen cumulative school days during any single semester.

A long-term suspension may not exceed the length of semester or trimester and cannot continue into the following school year. Students in kindergarten through fourth grade cannot receive a long-term suspension (more than ten days).

An expulsion may not exceed the length of a semester or trimester—except for The two exceptions are firearms violations and limited cases in which the district superintendent approves a petition to extend the length of the expulsion for public health and safety reasons.

## Are school districts required to suspend or expel a student for some behaviors?

State law does not require school districts to suspend or expel students for any behavior. Federal law requires an expulsion for firearms violations. State law only allows school districts to use long-term suspension or expulsion for certain serious behaviors. School districts may adopt policies that require allow suspension or expulsion for certain behavioral violations, but state law encourages school districts to consider alternative actions before administering suspension or expulsion.

## Someone from the school called and told me they decided to send my student home early because of their behavior. Do I have to pick my student up early from school or agree to let the school send my student home early?

Sending a student home early or requesting a student stay at home for behavioral violations is a suspension (even if the school calls it an “early dismissal” or “student pick-up” or “day off” or some other term). Before a school can send a student home for the day because of the student’s behavior, the school must hold an informal hearing with the student. Before sending a student home, the school must hold an initial meeting (known as a “hearing”). The hearing gives the student the chance to explain their behavior. This is known as “due process.” The

hearing also:

1. Notifies the student of the behavior rule that was broken;
2. Explains the evidence of the behavior; and
3. Explains the discipline action.

State law prohibits a school district from sending a student home or telling a parent to keep a student at home for behavioral violations before an informal hearing. Unless the parent can confirm the school provided the student due process for suspension, the parent should not have to agree to pick up the student or allow the school to send the student home.

## What happens if the school district removes my student from school because of emergency circumstances?

Under limited circumstances, a school district may immediately remove a student from school without first holding an informal hearing with the student. This type of action is an “emergency expulsion” under WA state law. Emergency expulsions are limited to situations where a school district believes the student’s presence in the building either poses an immediate and continuing:

1. Danger to other students or school staff; or
2. Threat of significant disruption of the educational process.

The emergency expulsion must end or be changed to another discipline action within 10 school days. School districts must notify parents about the emergency expulsion and the right to appeal within 24 hours after the school district removes the student from school.

## What happens to schoolwork during a suspension or expulsion?

For example, while a student is suspended, the school district will need to provide the student with any coursework and assigned homework from all of the student’s subjects or classes. The school district will also need to provide access to a staff member who can offer support to keep the student current with their subjects or classes. The school district can provide these educational services to a student

through an in-school suspension program, at the student's home, or at another location within the school district or community.

For longer suspensions, a school district could enroll a suspended student in another education program such as an alternative learning experience (ALE).

## My student receives special education services—do the same laws apply?

Yes. State and federal laws provide more protections for students receiving special education services. School districts must follow federal and state laws concerning students that receive special education services. More information is available at OSPI's [Special Education Behavior and Discipline](#) and [Section 504 and Students with Disabilities](#) webpages.

## What can I do if I disagree with the school's story about what my student did or with the school district's discipline decision?

Challenging a school district's actions varies with the type of discipline. Generally, students and parents can challenge a discipline decision at three levels:

- Level 1: School level, usually with the building principal
- Level 2: District level, usually with the school district superintendent
- Level 3: School board level, with either the school board or a discipline appeal council

Note: For suspension, expulsion, and emergency expulsion, students or parents must notify the school district of their intent to challenge the decision within

a certain amount of time. When communicating with school districts, students and parents should document all communication and communicate in writing as much as possible.

## What is OSPI doing to support students and families around discipline?

OSPI supports students and families in a variety of ways, including:

1. Rulemaking. OSPI is responsible for adopting rules that protect the interests of students and provide procedures that districts must follow. OSPI recently adopted new state rules for student discipline. The new rules simplify language and clarify requirements for families and districts. The new rules also provide students and families more opportunities to be involved in decision-making activities at the local level. OSPI's Student Discipline webpage provides information about the state rules for student discipline.
2. Technical support. OSPI provides information and resources to students and families on a case-by-case basis.
3. Civil rights compliance. OSPI can provide support for families that are concerned about discrimination in the administration of discipline. For example, if you believe the school district treated your student differently because of their race, national origin, sex, disability, or other protected class, OSPI's Office of Equity and Civil Rights can provide information about (1) your rights and (2) how to file a discrimination complaint.
4. Resources. OSPI is developing additional resources for families and school districts, including training modules for educators, to support fair outcomes in student discipline.

### For More Information

- OSPI encourages school districts to use practices and strategies included in the [Behavior Menu of Best Practices and Strategies](#).
- [Student Discipline](#): A launching page for rules, laws, trainings, and more.
- For questions or concerns about discrimination, contact the OSPI [Equity and Civil Rights Office](#).