

STUDENT DISCIPLINE

Introduction/Philosophy/Purpose

The Board of the Northwest Educational Service District 189 focuses on the educational achievement of every student. The NWESD 189 holds high expectations for all students and gives all students the opportunity to achieve personal and academic success. “Discipline” means any action taken by the NWESD 189 in response to behavioral violations, including exclusionary as well as positive and supportive forms of discipline. The Board intends that this policy and procedure be implemented in a manner that supports positive program climate, maximizes instructional time, and increases equitable educational opportunities.

The purposes of this policy and accompanying procedure include:

- Engaging with NWESD 189 cooperative program personnel, students, parents, families, and the community in decisions related to the development and implementation of discipline policies and procedures.
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents and families.
- Administering discipline in ways that respond to the needs and strengths of students and keep students in the classroom to the maximum extent possible.
- Providing educational services that students need to complete their education without disruption.
- Facilitating collaboration between NWESD 189 cooperative program personnel, students, parents, and families to support successful reentry into the classroom following a suspension or expulsion.
- Ensuring fairness, equity, and due process in the administration of discipline.
- Implementing culturally responsive discipline that provides every student the opportunity to achieve personal and academic success.
- Providing a safe environment for all students and for NWESD 189 employees.

Rights and Responsibilities/District Commitment

The Board recognizes the negative and disproportionate impact of exclusionary discipline practices and is committed to:

- Identifying and addressing discipline policies and practices that perpetuate educational opportunity gaps.
- Proactively implementing discipline practices that support students in meeting behavioral expectations without losing access to instruction.
- Collaborating with district partners to support the needs of all students attending cooperative programs.

The NWESD 189 will observe students' fundamental rights and will administer discipline in a manner that does not:

1. Unlawfully discriminate against a student on the basis of sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal;
2. Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have the student's cooperative program free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right;
3. Deprive a student of the student's constitutional right to be secure in the student's person, papers, and effects against unreasonable searches and seizures;
4. Unlawfully interfere in a student's pursuit of an education while in the custody of the NWESD 189; or
5. Deprive a student of the student's right to an equal educational opportunity, in whole or in part, by the NWESD 189 without due process of law.

This NWESD 189 student discipline policy and procedure is designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of and comply with this policy and procedure, including behavioral expectations that respect the rights, person, and property of others. Students are also expected to pursue the required course of studies. Students and staff are expected to work together to develop a positive climate for learning, consistent with Board Policy 3112 – Social Emotional Climate.

Development and review

Accurate and complete reporting of all disciplinary actions, including the associated student-level information, behavioral violations, and other forms of discipline the NWESD 189 considered or attempted, is essential for effective review of this policy; therefore, the NWESD 189 will ensure such reporting. The NWESD 189 will collect data on disciplinary actions administered in each NWESD 189 cooperative program, as required by RCW 28A.300.042, and any additional data required under other NWESD 189 policies and procedures.

The NWESD 189 will ensure that program administrators confer with certificated NWESD 189 cooperative program employees at least annually to develop and/or review program discipline standards and review the fidelity of implementation of those standards. At each cooperative program, program administrators and certificated staff will develop written cooperative program procedures for administering discipline at their cooperative program with the participation of other program personnel, students, parents, families, and the community. Each NWESD 189 cooperative program will:

1. Establish behavioral expectations with students and proactively teach expectations across various program settings.
2. Develop precise definitions for problem behaviors and behavioral violations to address differences in perceptions of subjective behaviors and reduce the effect of implicit bias.

3. Define the differences between minor and major behavior incidents to clarify the types of behaviors that may or may not result in classroom exclusion or are severe enough that an administrator needs to be involved.
4. Identify a continuum of best practices and strategies for classroom-based responses that NWESD 189 cooperative program staff should administer before or instead of classroom exclusion to support students in meeting behavioral expectations.

NWESD 189 cooperative program handbooks and codes of conduct must not conflict with this policy, accompanying procedures, or other Board policies. A NWESD 189 cooperative program's discipline standards must be annually approved by the NWESD 189 superintendent or designee.

Program administrators will ensure teachers and other NWESD 189 cooperative program personnel receive adequate support to effectively implement a continuum of identified best practices and strategies that:

1. Focus on prevention to reduce the use of exclusionary discipline practices.
2. Allow the exercise of professional judgment and skill sets; and
3. May be adapted to individual student needs in a culturally responsive manner.

Program administrators will confer with certificated NWESD 189 cooperative program employees at least annually to establish criteria for when certificated employees must complete classes to improve classroom management skills. NWESD 189 cooperative program staff are expected to use strategies associated with PBIS, SEL, restorative practices, trauma-informed approaches, culturally responsive teaching, implicit bias, etc. The NWESD 189 will use student data to identify needed teacher training to support the NWESD 189's policy implementation.

The NWESD 189 shall establish and make available rules of student conduct for NWESD 189 cooperative programs, designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of the NWESD 189's rules of student conduct, including behavior standards that respect the rights, person, and property of others. Students and cooperative program staff are expected to work together to develop a positive climate for learning.

Minimizing exclusion, engaging with families, and supporting students

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

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035. The accompanying procedure will identify a list of other forms of discipline for cooperative program staff use. However, cooperative

program staff members are not restricted to that list and may use any other form of discipline compliant with WAC 392-400-025(9).

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

As described in the procedures, the NWESD 189 will collaborate with the member district to offer educational services to students during suspension or expulsion, recognizing that the member district bears ultimate responsibility for students' educational services. When the cooperative program administers a long-term suspension or expulsion, the cooperative program and member district will timely hold a reengagement meeting and collaborate with parents and students to develop a reengagement plan that is tailored to the student's individual circumstances, in order to return the student successfully to an appropriate educational environment. Additionally, any student who has been suspended or expelled may apply for readmission at any time.

Staff authority

NWESD 189 staff members are responsible for supervising students during the program day and during program activities, whether on or off campus, and on NWESD 189 provided transportation. Member district personnel are responsible for supervising students on the member district's school bus. Cooperative program and member district staff will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The NWESD 189 Superintendent has general authority to administer discipline, including all exclusionary discipline. The NWESD 189 Superintendent will identify other NWESD 189 staff members to whom the NWESD 189 Superintendent has designated disciplinary authority. After attempting at least one other form of discipline, cooperative program teachers have statutory authority to impose classroom exclusion for behaviors that disrupt the educational process. Because perceptions of subjective behaviors vary and include implicit or unconscious bias, the accompanying procedures will seek to identify the types of behaviors for which the identified NWESD 189 staff may administer discipline.

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

When administering discipline, the NWESD 189 will observe all of the student's constitutional rights. The NWESD 189 will notify parents as soon as reasonably possible about classroom exclusion and before administering any suspension or expulsion. The NWESD 189 will provide opportunities for parent participation during an initial hearing with the student. The NWESD 189 will provide parents with written notice, consistent with WAC 392-400-455, of a suspension or

expulsion no later than one program business day following the initial hearing. As stated above, language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The NWESD 189 has established procedures for review and appeal of suspensions, expulsions, and emergency expulsions, consistent with WAC 392-400-430 through 392-400-530.

The NWESD 189 has also established procedures to address grievances of parents or students related to other forms of discipline, classroom exclusion, and exclusion from NWESD 189 provided transportation or extra-curricular activities. The grievance procedures include an opportunity for the student to share his or her perspective and explanation regarding the behavioral violation.

The NWESD 189 will periodically review and further develop this policy and procedure with the participation of district partners, NWESD 189 cooperative program personnel, students, parents, families, and the community. As part of this development and review process, the NWESD 189 will use disaggregated data collected under RCW 28A.300.042 to monitor the impact of student discipline practices as well as to improve fairness and equity in the administration of student discipline. Discipline data must be disaggregated by:

1. NWESD 189 cooperative program;
2. Student groups, including by gender, grade level, race/ethnicity (including further disaggregation of federal race and ethnicity categories in accordance with 28A.300.042 (1) and CEDARS Appendices Y and Z), low-income, English language learner, migrant, special education, Section 504, foster care, and homeless;
3. Behavioral violation; and
4. Discipline types, including classroom exclusion, in-school suspension, short-term suspension, long-term suspension, emergency expulsion, and expulsion.

The NWESD 189 will follow the practices outlined in guidance from the Race and Ethnicity Student Data Task Force when disaggregating broader racial categories into subracial and subethnic categories. The NWESD 189 will consider student program status and demographic information (i.e. gender, grade-level, low-income, English language learner, migrant, special education, Section 504, foster care, and homeless) when disaggregating student race and ethnicity data to identify any within-group variation in cooperative program discipline experiences and outcomes of diverse student groups. This process may include reviewing data to prevent and address discrimination against students in protected classes identified in chapters [28A.640](#) and 28A.642 RCW, however, The NWESD 189 will ensure it reviews disaggregated discipline data in accordance with WAC 392-190-048 at least annually.

The NWESD 189 will support each NWESD 189 cooperative program to:

- set at least one goal annually for improving equitable student outcomes;
- create an action plan or plans;
- evaluate previous goals and action plans; and
- revise goals and action plans based on evaluations.

NWESD 189 cooperative programs will share identified goals and action plans with all staff, students, parents, families, and the community.

Distribution of policies and procedures

The NWESD 189 will make the current version of this policy and procedure available to families and the community.

The NWESD 189 will ensure NWESD 189 cooperative program employees and contractors are knowledgeable of this student discipline policy and procedure. At the NWESD 189 cooperative program level, programs will annually provide the current cooperative program discipline standards, developed as stated above, to all NWESD 189 cooperative program personnel, students, parents, and families, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964. NWESD 189 cooperative programs will ensure all cooperative program personnel are knowledgeable of the cooperative program discipline standards. NWESD 189 cooperative programs are encouraged to provide discipline training developed under RCW [28A.415.410](#) to support implementation of this policy and procedure to all NWESD 189 cooperative program staff as feasible.

Application

This policy and accompanying procedure will be construed in a manner consistent with Washington law as stated in WAC 392-400-020.

First Reading:	02/26/92 (as 6440)	Reference:
Second Reading:	03/25/92 (as 6440)	RCW 9A.16.100
Revised:	04/25/01 (recodified 3241)	RCW 9.41.280
Reviewed:	01/24/07	RCW 28A.150.240
Revised:	06/23/10	RCW 28A.225
Revised:	12/15/14	RCW 28A.310.180
Revised:	02/25/15	RCW 28A.320
Revised:	08/17/16	RCW 28A.400.100
Revised:	10/24/18	RCW 28A.400.110
Revised:	06/26/19	RCW 28A.600
Revised:	08/25/21	42 USC 2000d
		34 CFR Part 100.3
		WAC 392-190-048
		WAC 392-400
		Cross Reference:
		Policy 2161
		Policy 2162
		Policy 3122
		Policy 3200
		Policy 3210
		Policy 3240
		Policy 4210

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