



# Student Rights & Responsibilities

Revised August 2019

## STUDENT RIGHTS, RESPONSIBILITIES AND LIMITATIONS

It is the goal of the North Kitsap School District to promote in all students a sense of their civic rights, and also their responsibilities. The conduct of one student should not impair the rights or opportunities of other students. The Board of Directors has adopted policies related to student conduct. Rules and regulations which govern the rights and responsibilities of students, staff, and administrators as they relate to student conduct are outlined on the following pages.

This document reflects the rights of individuals as set forth in federal and state laws, State Board of Education rules and regulations on procedural due process guarantees, and North Kitsap School District policies.

Dr. Laurynn Evans  
Superintendent

## STUDENT RESPONSIBILITIES AND DUTIES

According to North Kitsap School District Board Policy #3240, the mission of the school district is to foster a safe, collaborative, and intentional learning environment where each student is known by name, strength, and need. It shall be the responsibility and duty of each student to pursue his/her course of studies, comply with written rules of the school district and to submit to reasonable corrective action imposed by the school district and its agents for violation(s) of such rules.

## AUTHORITY OF SCHOOL

The following rules of misconduct will apply to the extent authorized by WAC 392-400-225(2) which provides that rules that establish types of misconduct must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning. Students at school-sponsored, off-campus events shall be governed by school district policy and regulations and are subject to the direction of school district authorities. Failure to obey the rules and regulations and/or failure to obey the lawful instructions of school district authorities shall result in appropriate disciplinary action.

## CRIMINAL & SCHOOL OFFENSES DEFINED

The acts listed below are among those defined as criminal offenses under the laws of the State of Washington and Kitsap County. Students involved in criminal acts are subject to prosecution whether these acts occur in the community, at school, or at school-related functions. Appropriate action may be taken by school authorities if the incident falls under the district's authority as defined in WAC 392-400-225(2) quoted above regardless of whether or not criminal charges result.

Misconduct includes, but is not limited to, the following:

1. **Alcohol, Drugs, and Mind-Altering Substances** - Students will not possess, use, show evidence of having consumed, distribute, sell, or solicit or facilitate the sale of alcohol, drugs, mind-altering substances, medication not prescribed by a physician and approved in writing by the student's parent/guardian, or drug paraphernalia (or any item which purports to be such). While in attendance at school or school-sponsored events, students must remove themselves immediately from any situation where alcohol or drugs are being possessed or consumed.
2. **Alteration of Records** - Students will not falsify, alter, or destroy school records or any communication between home and school.
3. **Arson** - Students will not intentionally cause a fire or explosion. Students also will not possess fire-ignition devices.
4. **Assault** - Students will not intentionally use physical force or violence on another person or threaten or attempt to use such physical force or violence, that is harmful or offensive, regardless of whether any physical injury is done to the person. Pursuant to RCW 28A.635.090, a student who interferes by force or violence with school personnel or other students will be subject to immediate suspension or expulsion and may be referred to law enforcement for investigation of criminal activity.
5. **Athletic/Activity Code Violations** - Students who participate in the interscholastic athletic program will conform to specific conduct standards established by the District, principals, athletic directors, and coaches and the rules and regulations of the Washington Interscholastic Activities Association (WIAA). A student who is found to be in violation of any athletic/activity rule is subject to removal from the team. General conduct expectations and requirements for students participating in athletics/activities, as well as the appeal process for disciplinary action, are described in Policy 2151 and Procedure 2151P.
6. **Attendance (Absences and Tardiness)** - All students are expected to attend scheduled classes and activities daily in accordance with state law and District Policy 3122 and Procedure 3122P, unless officially excused by the designated person(s) at the school building. Students are also expected to be punctual in arriving at school and to each of their classes. Excessive and/or unexcused tardiness and/or absenteeism, regardless of the reason, may result in loss of credit and/or discipline, although students will not be suspended or expelled due to tardiness or absences.

7. Bomb Threats - Students will not threaten to bomb or damage any District facility or property.
8. Burglary - Students will not enter or remain unlawfully in a District building with intent to commit a crime (including, but not limited to, theft of property) on the premises.
9. Cheating and Plagiarism - Students will not intentionally deceive or attempt to deceive school officials in the preparation or completion of any school assignment, assessment, examination, or project. Cheating includes knowingly submitting the work of others as a student's own work without proper attribution (i.e., plagiarism). Students are also prohibited from assisting or facilitating cheating by other students.
10. Checking out of School - Students will not leave school for the day unless excused by the school office.
11. Commercial Activity - Students will not sell or offer for sale goods or services on District property or at school-sponsored events unless as part of an authorized group or activity.
12. Criminal Behavior - Students who involve themselves in criminal acts on District property, off District property at school-sponsored events, or off District property when such acts have a detrimental effect upon the maintenance and operation of the schools or the District are subject to discipline by the District as well as potential prosecution under the law.
13. Damage to Property and Vandalism - Students will not intentionally cause physical damage to the property of the District, school personnel, or other students. Any student who defaces or otherwise injures school property, or property belonging to a school contractor, employee, or another student, may be suspended pursuant to RCW 28A.635.060. If a student loses or willfully cuts, defaces, or injures property of the District, a contractor of the District, an employee, or another student, the District may withhold the grades, diploma, and transcripts of the student until the student or his or her parents/guardians pay for the damages. If the student is suspended, the student may not be readmitted until the student or his or her parent/guardian has made payment or until directed by the superintendent. When the student and parent/guardian are unable to pay for the damages, the District will provide a program of voluntary work for the student in lieu of payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the student will be released. The parent/guardian of such student will also be liable for damages as otherwise provided by law.
14. Dangerous Behavior - Students will not engage in behavior which a reasonable person would know creates a risk of injury to another person or property.
15. Defiance - Students will obey the lawful instructions of school personnel.
16. Disruptive Conduct - Students will not engage in conduct that materially and substantially interferes with the educational process. Disruptive conduct may include, but is not limited to, the following examples:
  - a. Occupying a school building or school grounds in order to deprive others of its use;
  - b. Blocking the entrance or exit of any school building or room in order to deprive others of passing through;
  - c. Preventing students from attending a class or school activity;
  - d. Blocking normal pedestrian or vehicular traffic on a school campus; and
  - e. Interfering seriously with the conduct of any class or activity.
17. Disruptive Dress and Appearance - Students will not dress or appear in a manner that presents a health or safety hazard, creates a reasonable expectation of damage to school property, or creates a material and substantial disruption of the educational process. Pursuant to Policy 3224, such dress includes clothing displaying messages determined by the building principal to be libelous, obscene, profane, or demeaning to any race, religion, sex, or ethnic group, sexual orientation, or disability, or which advocate the violation of the law.
18. Electronic Information Systems - Students will comply with the acceptable use rules in Policy 2022 when using District electronic information systems such as email, computer devices, computer networks, and the Internet. Unauthorized, illegal, or inappropriate use of the District's electronic information systems is prohibited.
19. Explosives - Students will not possess, use, threaten to use, or attempt to possess or use objects tending or serving to explode with force or violence, including, but not limited to, firecrackers, bullets, and pipe bombs.
20. Extortion, Blackmail, and Coercion - Students will not obtain or attempt to obtain money or property by violence or threat of violence. Students also will not coerce or attempt to coerce someone to perform an action, or refrain from acting, by force or threat of force.
21. False Accusations and Defamation - Students will not make false statements about school personnel or other students, including untrue charges of wrongful conduct.
22. False Alarms and Fire Apparatus - Students will not set off false alarms, discharge or steal fire extinguishers, or damage alarm systems.
23. Fighting - Students will not quarrel with one or more other students involving physical contact. Students who are found to have promoted or incited a fight will be subject to the same discipline as those who are involved in the fight.
24. Gambling - Students will not risk or bet objects of value on the outcome of an event, a game, or chance, or assist or facilitate gambling by other students.
25. Gang Activity - Students will not engage in gang activity or display symbols of gang affiliation. A "gang" means a group that consists of three or more persons; has identifiable leadership; and on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes. Gang symbols include the use of hand signals, handwriting, and/or the presence of apparel, jewelry, accessories, graffiti, or manner of grooming which by virtue of its colors, arrangement, trademark, symbol alteration, or any other attribute, denotes membership in a gang.
26. Harassment, Intimidation, and Bullying/Cyberbullying - Students will not participate in, conspire to participate in, or conspire for others to engage in "harassment, intimidation, and bullying/cyberbullying" (HIB) as defined in Policy 3207

and Procedure 3207P. In general, HIB means any intentionally written message or image, including those that are electronically transmitted (e.g. sexting), or a verbal or physical act that physically harms a student or damages his or her property; has the effect of substantially interfering with a student's education; is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or has the effect of substantially disrupting the orderly operation of the school. HIB includes messages, images, and verbal or physical acts shown to be motivated by any characteristic in RCW 9A.36.080 (race, color, national origin including language, sex, sexual orientation including gender expression or identity, creed, religion, age, veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability) or other distinguishing characteristics. Prohibited HIB can include, but is not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, or physical actions.

27. Hazing - Students will not participate in, conspire to participate in, or conspire for others to participate in acts that injure, degrade, or disgrace—or tend to injure, degrade, or disgrace—other people. Hazing may also constitute prohibited harassment, intimidation, and bullying/cyberbullying (HIB), as discussed above and in Policy 3207 and Procedure 3207P.
28. Identifying Self - Students will, upon request, identify themselves to proper school authorities in the school building, on school grounds, or at school-sponsored events.
29. Inappropriate Display of Affection - Students will not engage in overt displays of affection or sexually oriented actions that violate standards of acceptable social conduct.
30. Inappropriate Language or Conduct - Students will not engage in vulgar, profane, or obscene language or conduct. In addition, students will not engage in expression that constitutes a material and substantial disruption of the orderly operation of the school, as discussed in Policy 3220.
31. Lasers and Similar Devices - Students will not possess or use lasers and similar devices without prior authorization from appropriate school officials.
32. Littering - Students will not throw, drop, deposit, or discard litter on public property.
33. Loitering - Students will leave the school campus at the official close of the school day unless permission to remain has been granted by an appropriate school official.
34. Motor Vehicle Violations - Students who choose to drive motor vehicles to school must: (a) observe all rules of safe driving on and around school property; (b) park in the area designated by school officials; and (c) comply with any registration procedures that may be required by school officials. Refusal to adhere to these conditions may result in the loss of the privilege of parking on school property and/or other discipline.
35. Robbery - Students will not steal from a person by force or threat of force.
36. Theft - Students will not wrongfully obtain or exert unauthorized control over the property of the District or another person (i.e., steal).
37. Tobacco, Nicotine Products, and Delivery Devices - Students will not possess, use, distribute, sell, or solicit or facilitate the sale of tobacco products, nicotine products, and delivery devices, in accordance with Policy 4215. Tobacco products and delivery devices include, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices (i.e., e-cigarettes), and vapor products.
38. Trespass - Students will not enter District buildings or property where students or members of the public are not allowed or refuse to leave such areas when ordered by school officials.
39. Violation of Suspension - Students will not enter upon any real or personal property that is owned, leased, rented, or controlled by the District during the terms of any suspension from school without the prior express approval of an appropriate school official.
40. Weapons and Other Dangerous Devices - Students will not possess, use, display, or transmit any object that is or reasonably appears to be a dangerous weapon or related device. Such objects include, but are not limited to: firearms, ammunition, incendiary or explosive devices, clubs, knives with blades of at least three (3) inches in length, other cutting or stabbing instruments brought or possessed with the intent to cause bodily harm or to instill fear and/or intimidate by their mere presence on school property or at school-sponsored events, chemical inhalants, metal knuckles, and look-alike items or replicas displayed or represented as real weapons. Any exception to this rule requires explicit permission from an appropriate school official.

Pursuant to RCW 9.91.160, persons over eighteen (18) years of age, and persons between fourteen (14) and eighteen (18) years of age who have written parental permission, may possess personal protection spray devices (i.e., mace or pepper spray) on school property. No one may deliver such a spray device to anyone under fourteen (14), or to anyone between fourteen (14) and eighteen (18) who does not have written parental permission. Personal protection spray devices may only be used in self-defense as defined by state law. Possession, transmission, or use of a spray device under any other circumstances will be treated as a violation of the District's rule prohibiting weapons.

Pursuant to RCW 9.41.280, any student who possesses a dangerous weapon (as defined in that statute) on school premises, District transportation, or areas of facilities while being used exclusively by public schools may be immediately expelled. Law enforcement and parents will be notified.

In addition, pursuant to RCW 28A.600.420, any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school premises, District transportation, or areas of facilities while being used exclusively by public schools will be expelled from school for not less than one year, unless the superintendent modifies the expulsion on a case-by-case basis. For purposes of this rule, "firearm" means a firearm as defined in 18 U.S.C. § 921 and RCW 9.41.010. In addition, a student may be suspended or expelled for up to one year if the student acts with malice and

displays an instrument that appears to be a firearm on school premises, District transportation, or areas of facilities while being used exclusively by public schools. This paragraph does not apply to any student while engaged in military education authorized by school authorities in which rifles are used but not other firearms; involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the rifles of collectors or instructors are handled or displayed but not other firearms; or participating in a rifle competition authorized by school authorities

## **SEARCH AND SEIZURE**

General searches of school property, including lockers and desks, may be conducted at any time by school authorities. The following rules shall apply to an individual search of school property assigned to students (locker, desk, etc.) or to a student's property and the seizure of items in their possession:

- 1) Prior to searching an area where a student has a right to privacy, there must be reasonable cause for school authorities to believe that the student or property has contraband or materials relating to a violation of school rules.
- 2) Illegal items or other possessions reasonably determined to be a threat to the safety or security of others or pertinent to a possible violation of school rules may be seized by the school administration.
- 3) Items which are used to disrupt or interfere with the educational process may be removed from student possession.

## **STUDENT RECORDS**

North Kitsap School District policy relating to student records (3231) states:

A student's official record is available to school personnel who have a legitimate educational interest in the records. The official record is also available to parents and adult students by appointment during regular school hours, unless other arrangements can be agreed upon. The review will normally occur within 5 school business days.

## **STAFF MEMBER AND ADMINISTRATOR AUTHORITY**

Staff members are required by law to maintain a suitable environment for learning and have the authority to discipline students in order to carry out this responsibility.

School administrators, likewise, have the authority to discipline students, as well as suspend or expel them.

Failure of students to comply with the rules and regulations of the district will result in appropriate action.

## **DISCIPLINE**

"*Discipline*" shall mean all forms of corrective action used in response to behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.

### **DEFINITION OF DISCIPLINARY TERMS**

Behavioral Violation – A student's behavior that violates the District's rules for student conduct stated in Procedure 3240P.

Classroom Exclusion – Exclusion of a student from a classroom or instructional or activity area for behavioral violations for all or any portion of the balance of the school day, provided that the student remains at school. Classroom exclusion does not include actions that result in missed instruction for a brief duration when: (1) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and (2) the student remains under the supervision of the teacher or other school personnel during such brief duration.

Discipline – Any action taken by the District in response to behavioral violations.

Disruption of the Educational Process – The interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.

Emergency Expulsion – Immediate removal from school for up to 10 consecutive school days because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process.

Expulsion – A denial of admission to the student's current school placement in response to a behavioral violation for no longer than the length of one semester or trimester

In-School Suspension – A short-term suspension for up to 10 consecutive school days in which a student is excluded from his or her regular educational setting but remains in his or her current school placement.

Long-Term Suspension – A suspension in which a student is excluded from school for more than 10 consecutive school days but for no longer than the length of one semester.

Other Forms of Discipline – Actions used in response to behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, including exclusion from transportation or extra-curricular activities.

Parent – In accordance with WAC 392-172A-01125, a biological or adoptive parent of a child; a foster parent; a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; an individual acting in the place of a biological or adoptive parent including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student's welfare; a surrogate parent appointed per state regulations; or an adult student whose rights have transferred to him or her pursuant to state regulations.

School Business Day – Any calendar day except Saturdays, Sundays, and federal and state school holidays, upon which the office of the superintendent of the District is open to the public. School business days will be concluded upon the closure of the superintendent's office for the calendar day.

School Day – Any day or partial day that students are in attendance at school for instructional purposes.

**Short-Term Suspension** – A suspension in which a student is excluded from school for up to 10 consecutive school days.  
**Suspension** – Denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions.  
**Academic Term** – One semester, which numbers approximately 90 school days. One trimester, which numbers approximately 60 school days.

SOURCE OF TERMS: WAC 392-400-023

#### **STUDENTS WITH DISABILITIES**

Removals of students eligible for services under the IDEA or Section 504 will be conducted in accordance with those statutes. See district policy 2161. Staff should consult with the student’s case manager at the time of any removal.

#### **CLASSROOM EXCLUSIONS**

A teacher (or other authorized school personnel) may exclude a student from a classroom or instructional or activity area for behavioral violations that disrupt the educational process while the student is under the teacher’s immediate supervision, subject to the requirements of WAC 392-400-330 and -335. A classroom exclusion may be administered for all or any portion of the balance of the school day in which the student was excluded.

The teacher or other school personnel must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations, unless the student’s presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process. The student will be provided the opportunity to make up any assignments and tests missed during the classroom exclusion. The student’s parents will also be notified of the classroom exclusion as soon as reasonably possible.

#### **DUE PROCESS (DISCIPLINE, SUSPENSION, EXPULSION, APPEALS)**

Constitutionally and legally sound procedures of due process, as outlined below and specified in WAC 392-400, will be followed in the administration of corrective action in the North Kitsap School District. A complete text of student discipline procedures is available in 3241P.

#### **PROCEDURES FOR CONTESTING DISCIPLINE**

##### **Grievance Procedure for Classroom Exclusion and Other Forms of Discipline**

A student or parent who disagrees with the imposition of classroom exclusion or other form of discipline under this procedure (including exclusion from transportation or extra-curricular activities) may request an informal meeting with the principal or designee for the purpose of attempting to resolve the grievance. This grievance procedure does not apply to suspensions, expulsions, or emergency expulsions, which have separate appeal procedures, described below.

The student or parent must request the meeting within two (2) school business days of imposition of the classroom exclusion or other form of discipline at issue. The request must be made in person at the office of the principal or by email to the principal’s District email address. The employee whose action is being grieved may be notified of the initiation of such a grievance and given the opportunity to participate in the meeting. During the meeting, the student and parents may be subject to questioning by the principal or designee and will have an opportunity to share the student’s perspective and explanation regarding the behavioral violation.

The principal or designee will issue written notice of his or her decision in person, by mail, or by email no later than five (5) school business days after the meeting. The classroom exclusion or other form of discipline will continue during the grievance procedure unless the principal or designee elects to postpone the action.

##### **Appeal of Short-Term and In-School Suspensions**

**Submission of Appeal:** A student or parents may appeal a short-term suspension (including an in-school suspension) to the superintendent or designee. Such appeal may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or email) to the superintendent’s office within five (5) school business days from the date the District provides written notice of the short-term suspension to the student and parents. The superintendent or designee will provide the student and parents the opportunity to share the student’s perspective and explanation regarding the behavioral violation orally or in writing.

**Decision:** The superintendent or designee will deliver a written appeal decision to the student and parents in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision will include:

The decision to affirm, reverse, or modify the suspension;

The duration and conditions of the suspension, including the dates on which the suspension will begin and end;

The educational services the District will offer to the student during the suspension; and

Notice of the student’s and parents’ right to request review and reconsideration of the appeal decision, including where and to whom to make the request.

##### **Appeal of Long-Term Suspensions, Expulsions, and Emergency Expulsions**

**Request for Appeal:** A student or parents may appeal a long-term suspension, expulsion, or emergency expulsion to the superintendent or designee. Such appeal request may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or email) to the superintendent’s office.

**Time Limits:** An appeal request must be received by the District within the following periods:

For long-term suspensions and expulsions, within five (5) school business days from the date the District provides written notice of the long-term suspension or expulsion to the student and parents.

For emergency expulsions, within three (3) school business days from the date the District provides written notice of the emergency expulsion to the student and parents.

**Notice of Hearing:** Within one (1) school business day after receiving the appeal request, unless otherwise agreed to by the

student and parents, the superintendent or designee will provide the student and parents written notice in person, by mail, or by email of the following:

The time, date, and location of the appeal hearing;

The name(s) of the official(s) presiding over the appeal;

The students' and parents' rights to inspect the student's education records described in Section 7.b, below;

The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;

The student's and parents' rights described in Section 8, below; and

For long-term suspensions and expulsions only (but not emergency expulsions), whether the District will offer to hold a reengagement meeting before the appeal hearing.

**Reengagement Opportunity:** For long-term suspensions and expulsions only (but not emergency expulsions), before the appeal hearing, the student, parents, and District may agree to hold a reengagement meeting and develop a reengagement plan. The student, parents, and District may mutually agree to postpone the appeal hearing while participating in the reengagement process.

**Appeal Hearing:** The District will hold an appeal hearing within the following periods, unless otherwise agreed to by the student and parents:

For long-term suspensions and expulsions, within three (3) school business days from the date the superintendent or designee received the appeal request.

For emergency expulsions, as soon as reasonably possible, but within two (2) school business days after the date the superintendent or designee received the appeal request.

**Presiding Official:** A hearing officer (who may be a District employee or contractor) will hear and decide appeals. The hearing officer may not be involved in the student's behavioral violation or decision to long-term suspend, expel, or emergency expel the student and will be knowledgeable about state discipline rules and the District's discipline policies and procedures.

**Evidence and Witnesses:**

Upon request, the student, parents, and District may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The District, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

Upon request, the student and parents may review the student's education records. The District will make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

If a witness for the school district cannot or does not appear at the appeal hearing, the hearing officer may excuse the witness' nonappearance if the District establishes that: (i) the District made a reasonable effort to produce the witness; and (ii) the witness' failure to appear is excused by fear of reprisal or another compelling reason.

**Student and Parent Rights:** During the appeal hearing, the student and parents have the right to:

Be represented by legal counsel;

Question witnesses;

Share the student's perspective and provide explanation regarding the behavioral violation; and

Introduce relevant documentary, physical, or testimonial evidence.

**Hearing Record:** The appeal hearing will be recorded by manual, electronic, or other type of recording device. The District will provide the recording to the student or parents upon request.

**Appeal Decision:** The hearing officer will base the decision solely on the evidence presented at the hearing. The hearing officer will provide a written decision to the student and parents in person, by mail, or by email within the following time limits: for long-term suspensions and expulsions, within three (3) school business days after the appeal hearing; and for emergency expulsions, within (1) school business day after the appeal hearing. The written decision will include:

Findings of fact;

For long-term suspensions and expulsions only (but not emergency expulsions):

A determination whether the student's behavior violated the rules of student conduct described in Procedure 3241P; the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion; and the suspension or expulsion is affirmed, reversed, or modified.

The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;

Notice of the opportunity to participate in a reengagement meeting and the contact information for the person who will coordinate scheduling of the reengagement meeting.

For emergency expulsions only:

A determination whether the student's presence continues to pose: an immediate and continuing danger to students or school personnel; or an immediate and continuing threat of material and substantial disruption of the educational process. Whether the District will end the emergency expulsion or convert it to a suspension or expulsion. If the District converts the emergency expulsion to a suspension or expulsion, the District will provide the student and parents notice and due process otherwise required by this procedure for the type of suspension or expulsion imposed.

Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request;

**Language Assistance:** The District will ensure that the notice, appeal proceedings, and decision are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English

proficiency.

## **Pending Appeal**

If the student or parents request an appeal of a long-term suspension or expulsion, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:

The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;

Any days that the student is temporarily suspended or expelled before the appeal is decided will be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;

If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District will provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

## **Review and Reconsideration**

**Review and Reconsideration of Suspensions and Non-Emergency Expulsions**

**Request for Review:** The student or parents may request that the Board of Directors review and reconsider the hearing officer's decision. The student or parents may request the review orally or in writing.

**Time Limit:** The appeal must be received by the superintendent's office within ten (10) school business days from the date the District provides the written appeal decision to the student and parents.

**Review Procedure:**

In reviewing the hearing officer's decision, the Board will consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.

The Board may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.

The decision of the Board will be made only by members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the hearing officer's decision.

**Decision:** The Board will provide a written decision to the student and parents in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision will identify:

Whether the Board affirms, reverses, or modifies the suspension or expulsion;

The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and

For long-term suspensions or expulsions only, notice of the opportunity to participate in a reengagement meeting.

**Language Assistance:** The District will ensure that any review proceedings and decision are in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

**Review and Reconsideration of Emergency Expulsions**

**Request for Review:** The student or parents may request that the Board of Directors review and reconsider the hearing officer's appeal decision. The student or parents may request the review orally or in writing.

**Time Limit:** The appeal must be received by the superintendent's office within five (5) school business days from the date the District provides the written appeal decision to the student and parents.

**Review Procedure:**

In reviewing the hearing officer's decision, the Board will consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.

The Board may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.

The decision of the Board will be made only by members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the hearing officer's decision.

**Decision:** The Board will provide a written decision to the student and parents in person, by mail, or by email within five (5) school business days after receiving the request for review and reconsideration. The written decision will identify:

Whether the Board affirms or reverses the District's decision that the student's presence posed an immediate and continuing danger to students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.

If the emergency expulsion has not yet ended or been converted, whether the District will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the District converts the emergency expulsion to a suspension or expulsion, the District will provide the student and parents notice and due process otherwise required by this procedure for the type of suspension or expulsion imposed.

**Language Assistance:** The District will ensure that any review proceedings and decision are in a language the student and parents can understand, which may require language assistance for students and parents with limited-English proficiency.

## **EDUCATIONAL SERVICES**

During the suspension, expulsion, or emergency expulsion of a student, the District will provide him or her the opportunity to receive educational services. The educational services must enable the student to continue to participate in the general educational curriculum; meet the educational standards established by the District; and complete subject, grade-level, and graduation requirements.

When providing a student the opportunity to receive educational services, the District will consider:

Meaningful input from the student, parents, and the student's teachers;

Whether the student's regular educational services include English language development services, special education, accommodations and related services under Section 504 of the Rehabilitation Act of 1973, or supplemental services designed to support the student's academic achievement; and

Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

The District may provide educational services to the student in an alternative setting or modify the suspension or expulsion on a case-by-case basis. An alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include alternative high schools, one-on-one tutoring, and online learning.

As soon as reasonably possible after administering a suspension or expulsion, the District will provide written notice to the student and parents about the educational services the District will provide. The District will provide the written notice in person, by mail, or by email. The notice will include a description of the educational services that will be provided and the name and contact information for the school personnel who can offer support to keep the student current with assignments and course work.

For students subject to suspension or emergency expulsion for up to five (5) consecutive school days, the District will provide at least the following:

Course work, including any assigned homework, from all of the student's regular subjects or classes.

Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes.

An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

For students subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, the District will provide at least the following:

Course work, including any assigned homework, from all of the student's regular subjects or classes.

Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:

Coordinate the delivery and grading of coursework between the student and the student's teacher(s) at a frequency that would allow the student to keep current with assignments and course work for all of the student's regular subjects or classes; and

Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.

An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

For students subject to expulsion or suspension for more than ten (10) consecutive school days, the District will provide educational services in accordance with WAC 392-121-107.

The District will ensure that notices and communications required above are provided in a language the students and parents understand.

## **REENGAGEMENT**

**REENGAGEMENT MEETING** must be convened when a long-term suspension or expulsion is issued. The purpose of this meeting is to discuss a

reengagement plan with the student and parent. A reengagement meeting must be convened within 20 days of a long-term suspension or expulsion, and no later than five days before the student's reentry or reenrollment.

**REENGAGEMENT PLAN** is a written plan developed between a school district, student, and parent to aid the student in taking necessary steps to remedy the situation that led to the corrective action and return the student to an educational setting as soon as possible. The reengagement plan will be culturally sensitive, culturally responsive, and tailored to the student's individual circumstances to support the student in successfully returning to school. In developing a reengagement plan, the District will consider the factors listed in WAC 392-400-710(2).

## **NONDISCRIMINATION STATEMENT**

The North Kitsap School District will provide equal educational opportunity and treatment for all, in all aspects of the academic and activities program without discrimination based on sex, race, creed, religion, color, national origin, immigration status, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. Questions or complaints of alleged discrimination can be directed to the Civil Rights Compliance-Title IX/RCW 28A.640-ADA Compliance Officer Rachel Davenport, Executive Director of Human Resources, [rdavenport@nkschools.org](mailto:rdavenport@nkschools.org) (360) 396-3003 and/or Title IX/RCW 28A.640 Officers Craig Barry, Director of Secondary Schools, [cbarry@nkschools.org](mailto:cbarry@nkschools.org) (360) 396-3093 and/or Tim Garrison, Director of Elementary Schools, Curriculum and Instruction, [tgarrison@nkschools.org](mailto:tgarrison@nkschools.org) (360) 396-3020 and/or 504 Compliance Coordinator, Lori Buijten, Director of Special Education, [lbuijten@nkschools.org](mailto:lbuijten@nkschools.org) (360) 396-3072; address - 18360 Caldart Ave NE, Poulsbo WA 98370.