

# STUDENTS' RIGHTS AND RESPONSIBILITIES HANDBOOK

2022-2023



*Central Kitsap School District #401*

## 2022-2023 STUDENTS' RIGHTS AND RESPONSIBILITIES HANDBOOK

Together, families, students, teachers, staff and administrators share the responsibility in creating and sustaining an environment that enhances student achievement and well-being in the Central Kitsap School District (CKSD). The Student Rights and Responsibilities Handbook (R&R) addresses:

- The rights and responsibilities of students
- Conduct which may require corrective action
- Responsibilities of administrators and teachers to implement corrective action, which includes behavioral supports and interventions that promote safety and support student success
- Administrative responsibilities for due process

Please read the Rights and Responsibilities and develop a thorough understanding of the details. By following the R&R, you can help our school district become a safer and more supportive environment for the students and staff.

CKSD Board Policies are available for review online at [ckschools.org](http://ckschools.org). Copies of this handbook are available at the CKSD Administrative Office, school offices and on the [Student Rights & Responsibilities web page](#) (Go to [ckschools.org](http://ckschools.org) > School Info > Student Rights& Responsibilities.)

## 2022-2023 STUDENTS' RIGHTS AND RESPONSIBILITIES HANDBOOK

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**ACTION LEVELS**

<b>GUIDANCE</b>	<p>In order to keep students connected to the learning environment and school community, the school’s primary response to problematic student behavior will be to utilize non-exclusionary Positive Behavior Interventions and Supports.</p> <p>The vast majority of student behavior supports should be provided at the classroom level by teachers. Behaviors that cannot be supported exclusively by teachers should receive more targeted or intensive interventions. Low-intensity non-exclusionary Positive Behavior Interventions and Supports as outlined on Page 2 should be attempted in most cases prior to moving to more targeted or intensive supports or interventions.</p> <p>The lowest level of corrective action appropriate will be considered in order to improve behavior and maintain a productive learning environment for students. This progression of support fosters a positive school and community atmosphere and nurtures an environment for all students to grow as productive citizens.</p> <p>Specific circumstances involving student behavior issues may require additional corrective action through the use of limit-setters. Limit-setting actions may include strategies such as discipline, removal from class, subject, or activity, suspension, and expulsion. Staff will determine the need for more targeted or intensive supports and interventions through data-based decisions and are responsible for using those intensive interventions in a fair, consistent and non-discriminatory manner.</p>		
<b>RESTORATIVE</b>	LOW INTENSITY INTERVENTION	MODERATE INTENSITY INTERVENTION	HIGH INTENSITY INTERVENTION
<b>PUNITIVE</b>	Brief Re-teaching, Modeling, Practice Brief Timeout/Reset (see page 2 for details) Class Meeting/Discussion (low harm) Personal Reflection Student Apology (student self-selected)	Guidance Meeting with School Counselor Intervention Group (Academic, Behavior or Social) Peer Mediation Restorative Conversation (moderate harm) Restitution (student self-selected) Simple Contract (created with the student)	Community Service (student self-directed) Formal Behavior Contract (created with student, parent/guardian, teachers, and/or peers) Mentoring Positive Behavioral Support Plan Referral to Outside Agency Restorative Conference (high level of harm)
<b>RESTORATIVE</b>	Change Environment (ex: seat change) Confiscation of Inappropriate Items (returned to student by end of day) Time Out from Reinforcement Parent/Guardian Notification and/or Conference Student Apology (adult directed) Warning	Confiscation of Inappropriate Items (returned to the parent/guardian) Detention Mild/Moderate Privileges Suspended Restitution (adult directed)	Community Services (adult directed) Confiscation of Illegal Items (not returned to either student or parent/guardian) Major Privileges Suspended Reassignment to a Different Class or Program
	<b>** See page 2 for more Level 1 Intervention and Support Strategies</b>		
<b>LEVEL 2</b>	Any Action from the prior level(s) may be imposed. <b>In School Suspension/Office Area</b>		
<b>LEVEL 3</b>	Any Action from the prior level(s) may be imposed. <b>Short or Long Term Suspension and/or Abeyance</b>		
<b>LEVEL 4</b>	Any Action from the prior level(s) may be imposed. <b>Expulsion</b>		

***Any egregious or repeated behavioral violation is cause for the District to consider a more intensive corrective action than suggested in Attachment 3241A. Further, the use of the term Maximum Level in Attachment 3241A is for informational purposes only; appropriate corrective action is an individualized determination based upon the particular facts of the incident and compliance with Board policy and procedure.***

Non-exclusionary Positive Behavior Interventions and Supports address the causes of problem behaviors and prevent them from occurring in the future. It is important to 1) Ensure that Prevention Supports are in place and consistently used, 2) Match the support/intervention to the student’s needs and 3) Try low intensity supports prior to layering on more intensive supports (with the exception of significant physical concerns). These evidence-based supports and interventions are organized within a “three-tiered prevention model” known as a “continuum of supports”.

Tier I Universal Supports and Interventions (Low Intensity)		
Prevention Supports	Skill or Relationship Based Restorative Response	Punitive Response
Support access to foundational needs: communication, food, housing, social relationships, safety, transportation. Academic-Behavior Skill Instruction Active Supervision Behavior Specific Praise Instructional Choice Instructional Feedback Opportunities to Respond Parent Notification and/or Conference Planned Structured Break Prompts and Pre-Corrections Social-Emotional Skill Instruction	Problem solve challenging behavior: *Are the expectations clear? *What are the barriers? *How do we address the barriers? *What is the function of the behavior? *What skills does the student need to develop? *What strengths does the student have to support positive behavior change?  Class Meeting/Discussion (mild harm) Personal Reflection Self Selected Verbal or Written Apology  Brief Re-teaching, Modeling, Practice, Error (Instructional) Correction/ Feedback  Brief Time Out/Reset/Mindful Break** <ul style="list-style-type: none"> <li>To calm or focus the brain &amp; body</li> <li>To reflect &amp; prepare to problem solve</li> <li>To learn or practice new skill</li> </ul> Sensory Input or Sensory Reduction	Change Environment (ex: seat change)  Time Out from Reinforcement  Minor inappropriate items taken away (returned to student)  Required Student Apology  Warning
Tier II Targeted Supports and Interventions (Moderate Intensity)		
Prevention Supports	Skill or Relationship Based Restorative Response	Punitive Response
Increase intensity, frequency and duration of Tier 1 Supports and apply with targeted approach.  Select strategies based on functional and instructional needs of the student.	Guidance Meeting with School Counselor  Intervention Group (Academic, Behavior or Social)  Problem Solving Conversation (Repair and Restore) (moderate levels of harm) <ul style="list-style-type: none"> <li>Peer with Peer</li> <li>Teacher with Student</li> </ul> Peer Mediation Restitution (when selected by the student to repair harm)  Targeted Partnered Services to increase reinforcement of productive (goal) behavior	Detention  Inappropriate Items Taken Away (returned to parent/guardian)  Mild/Moderate Privileges Suspended  Planned Ignoring (for attention reinforced behaviors)  Restitution (when required by person in authority)
Tier III Individualized Supports and Interventions (High Intensity)		
Prevention Supports	Skill or Relationship Based Restorative Response	Punitive Response
Increase intensity, frequency and duration of targeted Tier 1 Supports for the personalized needs of the individual.	Community Service (student selected)  Function of Behavior Assessment Positive Behavior Support Plan (Gen Ed) Behavior Intervention Plan (IEP)  Restorative Conference (high levels harm)  Referral to Outside Agency/Wraparound Supports	Community Service (when required by person in authority)  Severely inappropriate or illegal items taken away (not returned to student or parent)  Major Privileges Suspended  Reassignment to Different Class or Program

## CODE OF CONDUCT

*The Central Kitsap School District has identified the following problem behaviors that may result in corrective action. These behaviors/activities are prohibited on campus, on school transportation, at all school-sponsored activities, and off campus when the conduct is connected to or affects the school environment. Attempting to commit a violation, assisting another person in committing a violation, or forcing another person to commit a violation is also a violation of the code of conduct.*

<b>Problem Behavior</b>	<b>Definition</b>	<b>SRO</b> <small>May be called</small>	<b>Maximum Level</b>
Abusive Language Inappropriate Language/ Profanity	Student delivers messages in any format that include swearing, name calling, or use of words in an inappropriate way.		2
Inappropriate Language (minor)	Student engages in low-intensity instance of inappropriate language.		1
Alcohol	Student is in possession of or is using alcohol. Student gave or shared alcohol. Student sold or delivered alcohol. The above includes any substance represented as alcohol.	<b>x</b>	3
Arson	Student plans and/or participates in malicious burning of property.	<b>x</b>	4
Bomb Threat/ False Alarm	Student delivers a message of possible explosive materials being on-campus, near campus, and/or pending explosion.	<b>x</b>	4
Bullying	The delivery of direct or technology-based messages that involve intimidation, teasing, taunting, threats, or name calling. See handbook for further definition and guidance.	<b>x</b>	3
Combustibles	Student is/was in possession of substances/objects readily capable of causing bodily harm and/or property damage (matches, lighters, firecrackers, gasoline, lighter fluid).	<b>x</b>	3
Defiance	Student engages in refusal to follow directions or talks back.		2
Defiance (minor)	Minor-Student engages in brief or low-intensity failure to follow directions or talks back.		1
Disrespect	Student delivers socially rude or dismissive messages to adults or students.		2
Disrespect (minor)	Student delivers low-intensity, socially rude or dismissive messages to adults or students.		1
Disruption	Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior.		2
Disruption (minor)	Student engages in low-intensity, but inappropriate disruption.		1

Problem Behavior	Definition	SRO May be called	Maximum Level
Dress Code Violation	Student wears clothing that does not fit within the dress code guidelines practiced by the school/district.		1
Drugs and/or Paraphernalia	<p>Student is in possession of or is using illegal drugs/substances. Student gave or shared illegal drugs/substances or legal prescription drugs.</p> <p>Student sold or delivered illegal drugs/substances or legal prescription drugs.</p> <p>The above includes any substance represented as an illegal drug/substances.</p> <p>Construction/possession of drug paraphernalia including, but not limited to, pipes and syringes.</p>	x	4
Fighting	Student is involved in mutual participation in an incident involving physical violence. Discipline need not be the same for each student involved in a single fight.	x	3
Forgery/ Theft/Plagiarism	Student is involved by being in possession of, having passed on, or being responsible for removing someone else's property; or the student has signed a person's name without that person's permission, or claims someone else's work as their own.	x	2
Gang Affiliation Display	Student uses gesture, dress, and/or speech to display affiliation with a gang. A gang is defined as any identifiable group or club which exists without sponsorship or authorization of the school and which engages in anti-social or criminal behavior or activity which is disruptive of the school environment.		2
Harassment	<p>The delivery of disrespectful messages in any format related to gender, ethnicity, sex, race, religion, disability, physical features, or other protected class.</p> <p><i>See handbook for further definition and guidance.</i></p>	x	4
Inappropriate Display of Affection	Student engages in inappropriate, consensual (as defined by school) verbal and/or physical gestures/contact, of a sexual nature to another student/adult.		3
Inappropriate Location/ Out of Bounds Area	Student is in an area that is outside of school boundaries (as defined by school).		2
Lying/Cheating	Student delivers message that is untrue and/or deliberately violates rules.		2

<b>Problem Behavior</b>	<b>Definition</b>	<b>SRO</b> May be called	<b>Maximum Level</b>
Other Behavior	Student engages in problem behavior not listed.	x	4
Physical Aggression	Assault Student engages in actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).	x	4
Physical Aggression (minor)	Student engages in non-serious, but inappropriate physical contact	x	2
Property Damage/Vandalism	Student participates in an activity that results in destruction or disfigurement of property.	x	2
Property Damage (minor)	Student engages in low-intensity misuse of property.		1
Skip class	Student leaves or misses class without permission.		1
Tardy	Student is late (as defined by the school) to class or the start of the school day.		1
Technology Violation	Student engages in serious and inappropriate use of technology. (Examples include but are not limited to: cell phones, cameras, computers, and gaming devices.)	x	3
Technology Violation (minor)	Student engages in non-serious, but inappropriate use of technology. (Examples include but are not limited to: cell phones, cameras, computers, and gaming devices.)		1
Threat	Any person, singly or in concert with others, is prohibited to intimidate by threat of force or violence any administrator, teacher, classified employee, or student of any common school who is in the peaceful discharge or conduct of his or her duties or studies. RCW 28A.635.100	x	4

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Tobacco	Student is in possession of or is using tobacco or nicotine products and/or delivery devices including e-cigarettes, vaporizer, or any other smoking equipment or material. This includes look-a-like products and devices. This includes products and devices that produce the same flavor or physical effect of nicotine substances.		2
Truancy	Student receives an 'unexcused absence' for ½ day or more.		1
Weapons	Student is in possession of knives and guns (real or look alike), or other objects readily capable of causing bodily harm.	x	4

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**SECTION A: PURPOSE**

**What are the Rights and Responsibilities and why are they needed?**

Central Kitsap School District is committed to partnering with students to provide an environment that is safe, supportive and conducive to learning. To help promote and maintain that environment, the R&R:

- Specify the rights and responsibilities of student;
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development;
- Strive to ensure consistent application of corrective actions so that students from school to school will receive similar actions for similar violations;
- Assure the rights of students when corrective action is taken;
- Describe conduct, which violates those rights and responsibilities.

Corrective action must be non-discriminatory, fair, age-appropriate and correspond to the severity of the student's misbehavior and discipline history. When considering responses to violations, the District strives to keep students in the classroom whenever possible. If corrective actions are imposed, students will receive due process that includes an opportunity to grieve or appeal the action. Corrective action must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, offered an opportunity to continue to participate in the school community.

**When do these rights and responsibilities apply?**

- On all campuses of the District at all times
- While on the school bus or other District-sanctioned transportation
- At times and places where the principal or other school official or employee is supervising students
- During school or District-related events including field trips, athletic functions and other related activities
- When students are going to and from school
- When social media impacts the learning environment or student

**SECTION B: STUDENT RIGHTS AND RESPONSIBILITIES**

It is the responsibility of all students enjoying the benefits of school citizenship to follow the established rules and procedures governing their school. The community is entitled to expect good citizenship from its students. It is, therefore, the District's purpose to encourage students to learn how to properly exercise their rights, and to encourage students to meet their responsibilities by living up to the reasonable restrictions and appropriate standards of behavior described herein.

**Students Have a Right to:**

- a. Equal educational opportunity and freedom from discrimination in all phases of the educational process;
- b. Learn in a safe and positive learning environment;
- c. Receive high quality instruction that is consistent with state and district goals;
- d. Achieve at high levels;
- e. Know the requirements of each course of study and how the grade will be determined;
- f. Have access to their appropriate educational records;
- g. Expression and assembly consistent with the maintenance of an orderly and efficient educational process;
- h. Consult with educational staff at appropriate times; and
- i. Be involved in school activities by meeting the standards of the sponsoring organization.

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### STUDENTS HAVE A RESPONSIBILITY TO:

- a. Attend school daily, arriving on time to class and be ready to fully participate in the daily activity;
- b. Strive for academic and personal growth;
- c. Contribute positively to the school environment, allowing all students to have equal opportunity;
- d. Conduct themselves in a manner which will not disrupt their education or disrupt the education of others;
- e. Dress in a manner that is not disruptive to the educational environment or threatening to the health and safety of others;
- f. Identify themselves upon request to any school district personnel or authorities of Central Kitsap Schools; and
- g. Be aware of school rules governing behavior and conduct themselves accordingly with those rules and regulations.

### SECTION C: POLICY EXCERPTS AND SUMMARIES

#### **Policy 2420 – Grading and Progress Reports**

A student's grade report may be withheld until such time the student pays for any school property that has been lost or willfully damaged. Upon payment for damages or the equivalency through voluntary work, the grade report will be released. The student or his/her parents may appeal the imposition of a charge for damages to the superintendent and board of directors.

#### **Policy 3122 – Excused and Unexcused Absences**

As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused will experience the consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.

#### **Policy 3200 –Rights and Responsibilities**

Each year, the superintendent/designee will develop handbooks pertaining to student rights, conduct, and discipline, and make the handbooks available to all students, their parents, and staff. The superintendent will develop such handbooks with the participation of parents and the community.

The school principal and certificated building staff will confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. They will seek to develop precise definitions for common problem behaviors and build consensus on what constitutes manifestation of those problem behaviors. The definitions will also address differences between major and minor manifestations of problem behaviors to identify those problem behaviors that teachers and other classroom staff can generally address and those problem behaviors that are so severe that an administrator needs to be involved. This work will also help district staff identify and address differences in the perception of subjective misbehaviors and reduce the effect of implicit bias.

They will also confer annually to establish criteria for determining when certificated employees must complete classes to improve classroom management skills.

All students who attend the District's schools shall comply with the written policies, rules and regulations of the schools, will pursue the required course of studies, and will submit to the authority of staff of the schools, subject to such discipline, including other forms of discipline as the school officials will determine.

**Policy 3201/4210 - Regulation of Dangerous Weapons, Explosives or Fireworks on School Premises**

1. Firearms

- a. Any student in possession of a firearm on the property of any school, designated bus stops, or a school-sponsored event will be expelled from the Central Kitsap School District. In all such cases, police authorities and parent(s)/guardian(s) will be notified by the principal or designee of the school.
- b. No student expelled under this rule shall be considered for readmission prior to one year from the date of the violation. Upon written request for readmission, a committee will be convened to review the facts and make a recommendation to the superintendent. The committee will include, but not be limited to, an administrator and teacher from the school where the infraction occurred; the principal of the school which the student would ordinarily attend, or which the student is seeking admittance; a counselor or psychologist; and other professionals as may be deemed appropriate. The committee shall consider the safety of students and staff, and may establish readmission conditions that are related to the student's prior record of behavior. This expulsion may be modified by the superintendent or designee on a case by case basis.

2. Dangerous Weapons, Explosive Devices, or Fireworks

- a. Any student in possession of dangerous weapon(s), fireworks or explosive device(s) on school property, designated bus stops, or a school-sponsored event shall be subject to expulsion, or suspension. In all cases of weapons possession, police authorities will be notified by the principal or designee of the school.
- b. A dangerous weapon shall include, but not be limited to, the following: any firearm; RCW 9.41.250; defined dangerous weapons including such weapons as slung shot, sand club, or metal knuckles, or spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement; any device commonly known as "nun-chu-ka sticks," consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means except as used in martial arts classes authorized to be conducted on the school premises; any device commonly known as "throwing stars," which are multi-pointed metal objects designed to embed upon impact from any aspect except as used in martial arts classes authorized to be conducted on the school premises; or any air gun, including any air pistol or air rifle designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas. Other material used for the above means.

**Policy 3207 – Prohibition of Harassment, Intimidation and Bullying**

The District is committed to a safe and civil educational environment for all students, staff, parents/legal guardians, volunteers and community members that is free from harassment, intimidation or bullying.

"Harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when an act physically harms a student or damages the student's 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.

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Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying. "Other distinguishing characteristics" can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, weight.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

### **Behavior/Expressions**

This policy recognizes that "harassment", "intimidation," and "bullying" are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors, however, this differentiation should not be considered part of the legal definition of these behaviors. Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or written, oral or electronically transmitted messages or images. This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom or program rules.

### **Training**

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

### **Prevention**

The district will provide students with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement and other community agencies.

### **Interventions**

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

### **Students with Individual Education Plans or Section 504 Plans**

If allegations are proven that a student with an Individual Education Plan (IEP) or 504 Plan has been the aggressor or target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

### **Retaliation/False Allegations**

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report of good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

**Compliance Officer**

The Superintendent or designee will appoint a compliance officer as the primary district contact to receive copies of all formal or informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training offered by OSPI.

The Superintendent or designee is authorized to direct the implementation of procedures addressing the elements of this policy.

**Policy 3230 - Student Privacy/Searches of Students and Their Property**

Students are entitled to the guarantees of the Fourth Amendment and shall be secure in their persons, papers and effects against unreasonable searches and seizures. However, school officials have the responsibility of maintaining a safe environment and are empowered to conduct a reasonable search of a student and of the student's personal property when there is reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any search conducted must comply with applicable laws. School property shall remain under the control of school officials, and shall be subject to search.

1. Personal Searches. Any personal search of a student must be based upon reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the individual student has violated or is violating either the law or the rules of the school. The methods and extent of the search must be reasonably related to the expectation of the discovery of contraband, and the search must not be excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

Any search of a person or personal effects must be based on reasonable cause or grounds particularized to the individual student(s). Group searches without such individualized suspicion are not permitted.

- A. Personal Effects. A student's personal effects, such as purse or book bag, may be searched whenever a school official has reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
- B. Search of Person. If a student is asked to empty and/or pull out his/her pockets or remove shoes, socks, hat or coat, if these garments are being worn, these steps are required.
  1. The student will be informed of the basis for the school official's reason for the search and will be asked to empty his/her pockets or remove the garment(s) named above.
  2. If the student does not consent, and the circumstances permit, the student's parent(s) shall be called and informed of the circumstances.
  3. If consent is not given or the parent/guardian cannot be reached, law enforcement authorities may be called.
  4. The search should be conducted in private by a school official with an adult witness present whenever possible.
- C. Pat-Down Searches. If a pat-down search is conducted, there must be reasonable cause or grounds for suspecting or believing that a student may be concealing a weapon, illegal drugs or something that may be of immediate danger to the student or to other students, staff or patrons.

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Prior to conducting a pat-down search, the school official will normally contact the superintendent's office. If such a search is conducted without contact with the superintendent's office, the school official must be able to articulate the danger(s) that indicated the need for conducting the pat-down search. Such a search will be conducted by a school official of the same sex whenever possible and in accordance with steps 1-4 above.

D. Strip Searches. No school official may subject a student to a strip search or body cavity search.

2. Locker/Desk/Storage Area Searches. Student lockers, desks, and other storage areas remain the property of the School District and school officials retain the right to inspect lockers, desks, or other storage areas assigned to students. School officials have authority to maintain order and discipline in schools and to protect students from exposure to illegal drugs, weapons, and contraband. No right nor expectation of privacy exists for any student as to School District property, including computers and networks, and the school principal, assistant principal, or person designated by a school administrator may search all student lockers, desks, and other storage areas at any time without prior notice and without reasonable cause or grounds for suspecting or believing that the search will turn up evidence of any particular student's violation of the law or school rule.

If, and only if, the school official, as a result of the search, develops reasonable cause or grounds for suspecting or believing that any individual student's personal effects (e.g., book bag, backpack, or duffle bag) in any student locker, desk, or storage area, contain evidence of a student's violation of the law or school rule, the school official may search personal effects.

3. Automobile Searches. Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors and visible interiors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school official has reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the individual student(s) has violated or is violating either the law or the rules of the school. Such patrols and searches may be conducted without notice, without student consent, and without a search warrant. Police may be called.
4. Seizure of Illegal Materials. If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to the proper legal authorities for ultimate disposition.
5. Definitions. For purposes of this policy, the following definitions are applicable.
  - A. **"Contraband"** is all substances or materials, the presence of which is prohibited by school policy or state law, including but not limited to, controlled substances, drugs, abusable glue, or aerosol paint, alcohol, incendiary devices, guns, knives, and other objects that could be reasonably construed to be weapons; and computer hacking or proxy tools, which are software devices designed to gain unauthorized access to computers or networks or tools designed to disguise the source of a network communication.
  - B. **"Reasonable cause"** or grounds is the standard for a search on school property or at school-related events. It is based on the school official's specific belief or suspicion that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Specific reasonable suspicions may be drawn from instances including, but not limited to, a tip from a reliable student, suspicious behavior that suggests that contraband is present, a smell indicating the presence of the contraband, or a bulge in a pocket. Reasonable cause should not be based on mere hunch and must be particularized with respect to each individual student.
  - C. **"School official"** means only School District administrators or other personnel designated by the superintendent.
6. Notice. Students will be provided notice of the policy and procedures concerning searches by having such notice placed on the school website and/or distributed by supplemental publication.

**Policy 3241- Student Discipline**

“Discipline” means any action taken by the District in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms. Data show that a supportive response to behavioral violation is more effective and increases equitable educational opportunities. The purposes of this policy and accompanying procedure include:

- Engaging with families and the community and striving to understand and be responsive to cultural context
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents
- 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 during suspension and expulsion
- Facilitating collaboration between school personnel, students, and parents, and thereby supporting successful reentry into the classroom following a suspension or expulsion
- Ensuring fairness, equity, and due process in the administration of discipline
- Providing every student with the opportunity to achieve personal and academic success
- Providing a safe environment for all students and for district employees

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

**Policy 3242 – Closed Campus**

Central Kitsap students are expected to remain on each assigned campus from the time they arrive in the morning until they depart at the end of the regular school day unless official permission to leave the school grounds has been obtained from the school’s administration office.

**Policy 3245P – Bus Conduct**

The mission of the Transportation Department is to provide safe and timely bus service to the District’s students. To do this, drivers must be able to concentrate on operating their vehicles in a variety of traffic conditions, being always alert and vigilant. Excessive noise or misconduct by bus passengers can distract a driver and endanger all students on the bus. Although transportation is a privilege, the support and cooperation of parents and students are needed to ensure that bus rides are as safe as possible.

All children attending the Central Kitsap public schools and meeting the eligibility requirements prescribed by the District are entitled to ride district buses, subject to all behavior rules authorized by the District in Policy 3245 and 3245P.

Bus Rules

1. The driver is in full charge of the bus and its passengers. Students shall obey the driver and/or teacher, coach, or other staff members.
2. Students shall ride only the assigned bus and get on and off at the assigned bus stop, unless signed written permission from the building administrators is given to the driver. Students suspended from one bus are suspended from all buses.
3. Students may be assigned to seats.
4. Students shall not engage in unsafe acts while waiting for the school bus. Students who cross the roadway will cross at the direction of the driver.



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5. Students shall not bring hazardous items including breakable containers onto the bus.
6. Animals, other than canine service animals, are not allowed on a bus.
7. Belongings shall be kept out of the aisles and the areas in front of emergency exit doors and rear windows.
8. Items brought on the bus must be able to sit in the passenger's lap, or between his/her feet, without extending above the lower window ledge.
9. Ordinary conversation and classroom conduct must be observed.
10. Students are to remain seated until permission is given by the driver.
11. Students will not litter the bus. Eating and drinking are not allowed on the bus, except when authorized.
12. Students shall follow emergency exit drill procedures as prescribed by the driver.
13. No passenger may extend any body part out of a window.
14. Students causing damage to buses shall be charged with the cost of the damage.

Consequences for Misbehavior. Students may be disciplined for failure to comply with these bus rules. Discipline may include assignment to a specific bus seat, parent conference, and suspension of bus riding privileges. Students or parent(s)/guardian(s) may appeal the discipline found under Policy 3241.

### **Policy 3246 –Restraint, Isolation and Other Uses of Reasonable Force**

It is the policy of the Central Kitsap School District Board of Directors that the District maintains a safe learning environment while treating all students with dignity and respect. All students in the District, including those with an Individualized Education Program (IEP), or plan developed under Section 504 of the Rehabilitation Act of 1973, will remain free from the unreasonable restraint, restraint devices, isolation and other uses of physical force. Under no circumstances will these techniques be used as a method of discipline or punishment.

Restraint and other uses of physical force, as defined in the procedure accompanying this policy, may be used when necessary to prevent or minimize imminent bodily injury to self or others. Restraint and other uses of physical force may be used to protect district property if de-escalation interventions have failed or are inappropriate.

Use of restraint, isolation, and other forms of reasonable force may be used on any student when reasonably necessary to control spontaneous behavior that poses an "imminent likelihood of serious harm" as defined by RCW 70.96B.010 and explained in the procedure accompanying this policy. Serious harm includes physical harm to self, another, or district property. Staff will closely monitor such actions to prevent harm to the student and will use the minimum amount of restraint and isolation appropriate to protect the safety of students and staff. The restraint, isolation, and other forms of reasonable force will be discontinued when the likelihood of serious harm has dissipated. If the parent and the District determine that a student with an IEP or 504 plan requires advanced educational planning, the parent and the District may develop emergency response protocols to be used in the case of emergencies that pose an imminent likelihood of serious harm.

**SECTION D: DISCRIMINATION, SEXUAL HARASSMENT AND COMPLAINT**

**Discrimination**

Central Kitsap School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression, gender 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. The following employee(s) has been designated to handle questions and complaints of alleged discrimination:

Civil Rights Coordinator/Title IX Officer  
 Jeanne Beckon  
 Assistant Superintendent of Human Resources  
[jeanneb@ckschools.org](mailto:jeanneb@ckschools.org)  
 (360) 662-1680

Section 504 Coordinator  
 Julie McKean  
 Executive Director of Special Services  
[juliemc@ckschools.org](mailto:juliemc@ckschools.org)  
 (360) 662-1066

**You can report discrimination and discriminatory harassment** to any school staff member or to the district's Civil Rights Coordinator, listed above. You also have the right to file a complaint (see below). For a copy of your district's nondiscrimination policy and procedure, contact your school or district office or view it on [the policy page of our website](#). (Go to [ckschools.org](http://ckschools.org) > Administration > Policies & Procedure, review policies 3210/3210P)

**Sexual Harassment**

Students and staff are protected against sexual harassment by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus, such as a school-sponsored activity.

***Sexual harassment is unwelcome behavior or communication that is sexual in nature.***

The term "sexual harassment" may include:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual's educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

**You can report sexual harassment** to any school staff member or to the district's Title IX Officer, who is listed above. You also have the right to file a complaint (see below).

For a copy of our district's Sexual Harassment policy and procedure, contact your school office or review online at [the policy page of our website](#). (Go to [ckschools.org](http://ckschools.org) > Administration > Policies & Procedure, review policies 3205/3205P)

**Complaint Options: Discrimination and Sexual Harassment**

If you believe that you or your child have experienced unlawful discrimination, discriminatory harassment, or sexual harassment at school, you have the right to file a complaint.

Before filing a complaint, you can discuss your concerns with your child's principal or with the school district's Section 504 Coordinator, Title IX Officer, or Civil Rights Coordinator, who are listed above. This is often the fastest way to revolve your concerns.

**Complaint to the School District**

**Step 1. Write Our Your Complaint**

In most cases, complaints must be filed within one year from the date of the incident or conduct that is the

subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident, explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place, and describe what actions you believe the district should take to resolve the problem. Send your written complaint—by mail, fax, email, or hand delivery—to the district superintendent or civil rights compliance coordinator.

### **Step 2: School District Investigates Your Complaint**

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.

### **Step 3: School District Responds to Your Complaint**

In its written response, the district will include a summary of the results of the investigation, a determination of whether or not the district failed to comply with civil rights laws, notification that you can appeal this determination, and any measures necessary to bring the district into compliance with civil rights laws. Corrective measures will be put into effect within 30 calendar days after this written response—unless you agree to a different time period.

### **Appeal to the School District**

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint. The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with the Office of Superintendent of Public Instruction (OSPI).

### **Complaint to OSPI**

If you do not agree with the school district's appeal decision, state law provides the option to file a formal complaint with the Office of Superintendent of Public Instruction (OSPI). This is a separate complaint process that can take place if one of these two conditions has occurred: (1) you have completed the district's complaint and appeal process, or (2) the district has not followed the complaint and appeal process correctly.

You have 20 calendar days to file a complaint to OSPI from the day you received the decision on your appeal. You can send your written complaint to the Equity and Civil Rights Office at OSPI:

**Email:** [Equity@k12.wa.us](mailto:Equity@k12.wa.us) | **Fax:** 360-664-2967

**Mail or hand deliver:** PO Box 47200, 600 Washington St. S.E., Olympia, WA 98504-7200

For more information, visit our [website](#), or contact OSPI's Equity and Civil Rights Office at 360-725-6162/TTY: 360-664-3631 or by e-mail at [equity@k12.wa.us](mailto:equity@k12.wa.us).

### **Other Discrimination Complaint Options**

*Office for Civil Rights, U.S. Department of Education*

206-607-1600 | TDD: 1-800-877-8339 | [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov) | [OCR Website](#)

*Washington State Human Rights Commission*

1-800-233-3247 | TTY: 1-800-300-7525 | [Human Rights Commission Website](#)

**SECTION E: DEFINITIONS, SUSPENSION, EXPULSION OR EMERGENCY EXPULSION, GRIEVANCE AND APPEAL PROCESS**

**DEFINITIONS**

- **Behavioral violation** means a student's behavior that violates the district's discipline policies.
- **Classroom exclusion** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC 392-400-330 and 392-400-335. Classroom exclusion does not include action that results in missed instruction for a brief duration when:
  - (a) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
  - (b) the student remains under the supervision of the teacher or other school personnel during such brief duration.
- **Culturally responsive** has the same meaning as "cultural competency" in RCW 28A.410.270, which states "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.
- **Discipline** means any action taken by the district in response to behavioral violations.
- **Disruption of the educational process** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- **Emergency expulsion** means the removal of a student from school because the student's statements or behavior pose 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, subject to the requirements in WAC 392-400-510 through 392-400-530.
- **Emergency removal** means a student's immediate removal from a class, subject or activity by a certificated teacher or an administrator or a staff member or a school bus driver and sending of that student to the building principal or designee, when the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.
- **Expulsion** means a denial of admission to the student's current school placement in response to a behavioral violation, subject to the requirements in WAC 392-400-430 through 392-400-480.
- **Length of an academic term** means the total number of school days in a single trimester or semester, as defined by the board of directors.
- **Other forms of discipline** mean actions used in response to problem behaviors and 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.
- **Parent has the same meaning as in** WAC 392-172A-01125, and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) 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; (d) 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; or a surrogate parent who has been appointed in accordance with WAC 392-172A-05130. If the biological or adoptive parent is

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attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the "parent" of a child or to make educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.

- **School board means the governing board of directors of the District.**
- **School business day** means any calendar day except Saturdays, Sundays and any federal and school holidays upon which the office of the superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the superintendent's office for the calendar day.
- **School day** means any day or partial day that students are in attendance at school for instructional purposes.
- **Suspension** means the 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. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.
  - **In-school suspension** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten consecutive school days, subject to the requirements in Chapter 392-400 WAC.
  - **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in Chapter 392-400 WAC.
  - **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in Chapter 392-400 WAC.

Short-term or in-school suspensions may be imposed as appropriate for the problem behaviors/activities identified in this handbook and in the District's regulations and procedures. Before administering a short-term or in-school suspension, one or more other forms of discipline will be attempted to support the student in meeting behavioral expectations.

Long-term suspension may only be imposed if: (1) a student commits any of the behavioral violations listed below; and (2) the school has determined that the student would pose an imminent danger to students or school personnel or would pose an imminent threat of material and substantial disruption of the educational process if the student returned to school before completing a long-term suspension.

Expulsion may only be imposed if: (1) a student commits any of the following list of behavioral violations; and (2) the school has determined that the student would pose an imminent danger to students or school personnel if the student returned to school before completing an expulsion.

- A. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
- B. Any of the following offenses listed in RCW 13.04.155, including:
  - 1. any violent offense as defined in RCW 9.94A.030, including
    - a. any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
    - b. manslaughter in the first or second degree;
    - c. indecent liberties committed by forcible compulsion;
    - d. kidnapping in the second degree;

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- e. arson in the second degree;
  - f. assault in the second degree;
  - g. assault of a child in the second degree;
  - h. extortion in the first degree;
  - i. robbery in the second degree;
  - j. drive-by shooting; and
  - k. vehicular homicide, when proximately caused by driving a vehicle while under the influence of intoxicating liquor or any drugs or by operating a vehicle in a reckless manner; and
  - l. vehicular assault caused by operating or driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner;
2. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism; a felony violation of RCW 9A.64.020; a felony violation of chapter 9.68A RCW (other than RCW 9.68A.080); a criminal attempt, solicitation, or conspiracy to commit a sex offense; and any felony conviction or adjudication with a sexual motivation finding;
  3. inhaling toxic fumes in violation of chapter 9.47A RCW;
  4. any controlled substance violation of chapter 69.50 RCW;
  5. any liquor violation of RCW 66.44.270;
  6. any firearms and dangerous weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
  7. any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
  8. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
  9. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
  10. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, criminal street gang tagging and graffiti, and defacing a state monument;
- C. Two or more violations of the following within a three-year period
1. criminal gang intimidation in violation of RCW 9A.46.120;
  2. gang activity on school grounds in violation of RCW 28A.600.455;
  3. willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
  4. defacing or injuring school property in violation of RCW 28A.635.060; and
- D. Any student behavior that adversely impacts the health or safety of other students or educational staff.

The phrase "student behavior that adversely impacts the health or safety of other students or educational staff" includes, but is not limited to, the following examples:

- Abusive behavior, lewd conduct, harassment and sexual harassment
- Alcoholic beverages, narcotics, and stimulant drugs
- Arson
- Assault, threats, extortion, causing physical injury or damage to school property
- Criminal acts
- Dangerous weapons, instruments, & activities
- Firearms/facsimiles
- Disruptive conduct
- False alarms

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- Repeated misconduct
- Threats of violence

For student behaviors—including any specific offenses contained in Policy 3241 and Procedure 3241P—that do not fall within one or more of the categories listed immediately above, schools may only impose classroom exclusion, in-school suspension, short-term suspension, or other forms of discipline.

Before administering any suspension or expulsion, the student's individual circumstances and the nature and circumstances of the behavioral violation will be considered to determine whether the suspension or expulsion, and the length of the suspension or expulsion, is warranted.

In the case of classroom exclusions, suspensions, or expulsions, parents will be notified as described in Procedure 3241P. Depending on the circumstances of the infraction and the corrective action imposed, a suspension/expulsion may begin immediately during the school day, after school, or the following morning. In order to minimize absences from school and depending upon the infraction, in-school suspension/Saturday School may be used as an alternative to out of school suspension.

### **Educational Services**

Educational services are required during a suspension, expulsion, or emergency expulsion, the student must have the opportunity to receive educational services that enable him/her to continue to participate in the general education curriculum; meet the District's educational standards; and complete subject, grade-level, and graduation requirements. When providing the services, the school must consider:

- Meaningful input from the student, parents, and student's teacher(s);
- Whether the student receives ELD services, special education services, accommodations and related services under Section 504, or supplemental academic services; and
- Access to technology, transportation, or resources needed to participate in the educational services.

### **Parent notice:**

As soon as reasonably possible after administering any suspension or expulsion, a written notice must be sent to the student and parents in person, by mail, or by email that includes:

- A description of the educational services that will be provided; and
- The name and contact information for the school personnel who will offer support to keep the student current with assignments and course work.

### **Suspensions/Emergency Expulsions for up to 5 consecutive school days:**

The school must provide:

- Course work, including any assigned homework, from the student's classes;
- Access to school personnel who can offer support to keep the student current with his/her assignments and course work; and
- An opportunity for the student to make up any assignments and tests missed during the suspension or emergency expulsion.

### **Suspensions/Emergency Expulsions for 6 to 10 consecutive school days:**

The school must provide:

- Course work and any assigned homework from the student's classes;
- Access to school personnel who can offer support to keep the student current with his/her assignments and course work. School personnel must make a reasonable attempt to contact the student or parents within three business days after the suspension or expulsion begins to:
  - Coordinate the delivery and grading of course work between the student and his/her teacher(s) to allow the student to keep current with assignments and course work; and
  - Communicate with the student, parents, and teacher(s) about the student's academic progress.

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- An opportunity for the student to make up any assignments and tests missed during his/her suspension or emergency expulsion.

Suspensions/Emergency Expulsions for more than ten consecutive school days: The school must provide educational services in accordance with WAC 392-121-107.

### **Additional Suspension, Expulsion or Emergency Expulsion Requirements Short-term and In-school suspension Conditions and Limitations:**

- No Exceptional Misconduct: Before administering any short-term or in-school suspension, schools must first attempt other forms of discipline. Students may not be immediately suspended for exceptional misconduct.
- Time Limit: A short-term or in-school suspension may not be administered beyond the school year in which the behavioral violation occurred.
- Supervision: School personnel must provide direct supervision of students on in-school suspension and be accessible to offer support to keep the student current with his/her assignments and course work.
- No student in grades kindergarten through fourth grade will be suspended for more than a total of ten (10) school days during any single semester or trimester and no loss of academic grades or credit will be imposed by reason of the suspension.
- No student in fifth grade and above will be suspended for more than a total of fifteen (15) school days during any single semester or ten (10) school days during any single trimester.
- Principals will report all short-term suspensions and the reason therefor to the superintendent or designee within twenty-four (24) hours after imposing the short-term suspension.

### **Long-term suspension** Conditions and limitations:

- No Exceptional Misconduct: Before administering any long-term suspension, schools must first consider other forms of discipline. Regardless, students may not be immediately long-term suspended for exceptional misconduct.
- Grounds: A student may only be placed on long-term suspension if:
  - The student committed a behavioral violation under RCW 28A.600.015(6) (serious behavior violations considered “nondiscretionary discipline”); and
  - The district determines that if the student returned to school before completing the long-term suspension, the student would pose: (1) an imminent danger to students or school personnel; or (2) an imminent threat of material and substantial disruption of the educational process. See further discussion above under Definitions.
- Time Limit: A long-term suspension may not be administered beyond the school year in which the behavioral violation occurred.
- Grade-Level Limitation: Students in kindergarten through 4th grade may only be long-term suspended for firearms violations.
- Principals will report all long-term suspensions and the reason therefor to the superintendent or designee within twenty-four (24) hours after imposing the long-term suspension.

### **Emergency expulsion** Conditions and limitations:

- Sufficient cause: The school district must have sufficient cause to believe that 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.

An immediate and continuing threat of material and substantial disruption of the educational process means:



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- The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
- School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.
- Such emergency expulsion must end or be converted to another form of corrective action within ten (10) school days of the date of the expulsion.
- If the emergency expulsion is converted to another form of corrective action, the District will provide the student and/or parent(s)/guardian(s) with notice and due process rights applicable to the corrective action imposed by such a conversion.

### **Expulsion** Conditions and limitations:

- Grounds: A student may only be expelled if:
  - The student committed a violation under RCW 28A.600.015(6) (serious behavior violations considered “nondiscretionary discipline”); and
  - The district determined that if the student returned to school before completing the expulsion, the student would pose an imminent danger to students or school personnel.
  - Grade-Level Limitation: Students in kindergarten through 4th grade may only be expelled for firearms violations.
- An expulsion may not exceed the length of an academic term unless:
  - The school petitions the superintendent for an extension; and
  - The superintendent authorizes the extension in compliance with the superintendent of public instruction’s rules adopted for this purpose
  - Once a student is expelled in compliance with District Policy, the expulsion will be brought to the attention of appropriate local and state authorities, including, but not limited to, juvenile authorities acting pursuant to the Basic Juvenile Court Act, so that such authorities may address the student’s educational needs.
  - Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public school premises, public school provided transportation, or areas of facilities while being used exclusively by public schools, will be expelled from school for not less than one calendar year pursuant to RCW 28A.600.420 with notification to parent(s)/guardian(s) and law enforcement.

### **Reengagement Meeting**

The school must contact the student/parents after a student is placed on long-term suspension or expulsion to schedule a time and location for a reengagement meeting.

#### **Timing:**

- The reengagement meeting must be held within 20 calendar days of a long-term suspension or expulsion, but no later than 5 days before the student returns to school.
- Or, as soon as reasonably possible, if the student and parents request a prompt reengagement meeting.

### **Reengagement Plan**

The school must collaborate with the student and parents to develop a reengagement plan tailored to the student’s individual circumstances to support the student in successfully returning to school. When developing the plan, the school must consider:

- The nature and circumstances of the incident that led to the student’s suspension or expulsion;
- As appropriate, the student’s cultural history and context, family cultural norms and values, community resources, and community and parent outreach;
- Shortening the length of the student’s suspension or expulsion;

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- Providing academic and nonacademic supports to aid in the student's academic success and keep the student engaged and on track to graduate; and
- Supporting the student, parents, or school personnel in remedying the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.

**Documentation:** The school must document the reengagement plan and provide a copy to the student and parents.

**Protecting Victims:** The District may preclude a student from returning to his/her regular educational setting following the end date of his/her suspension or expulsion in the following situations; if the student committed an offense under RCW 28A.600.460(2) (e.g., criminal assault, harassment, unlawful imprisonment, arson, reckless burning, malicious mischief) that was directed at a teacher, the student may not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned. If the student committed an offense under RCW 28A.600.460(3) (e.g., criminal assault, harassment, luring, trafficking, arson, reckless burning, malicious mischief) that was directed at another student, the student may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

### Due Process Procedures

**Initial Hearing:** Before administering any suspension or non-emergency expulsion, the Principal or designee must conduct an informal hearing with the student to allow the student to share his/her perspective.

During the hearing, the Principal must provide the student with:

1. Notice of the student's violation of the District's discipline policy;
2. An explanation of the evidence regarding the behavioral violation;
3. An explanation of the discipline that may be administered;
4. An opportunity for the student to share his/her perspective and explanation for the behavioral violation; and
5. An opportunity for the student to contact his/her parents.

**If the initial hearing is for a long-term suspension or expulsion,** the Principal or designee must make a reasonable attempt to contact the student's parents to provide them the opportunity to participate in the hearing in person or by telephone.

Following the hearing, the Principal or designee must inform the student of the decision regarding the behavioral violation, including when the suspension or expulsion will begin and end.

**Initial Parent Notice:** Before administering any suspension or expulsion, the School must attempt to notify the student's parents as soon as reasonably possible about the behavioral violation.

- For emergency expulsions, the notice must include why 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 to the educational process.

**Written Parent Notice:** Within one school business day of the initial hearing (or 24 hours after an emergency expulsion), the School must provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice must include:

1. A description of the student's behavior and how it violated the District's discipline policy;
  - a. For emergency expulsions, how 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 to the educational process.

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2. The duration and conditions of the suspension or expulsion, including when it will begin and end;
3. The other forms of discipline that were considered or attempted, and an explanation of the decision to administer the suspension or expulsion (not required for emergency expulsions);
4. The opportunity to receive educational services during the suspension or expulsion;
5. The student's and parents' right to an informal conference with the Principal or designee;
6. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested; and
7. For a long-term suspension or non-emergency expulsion, the opportunity for the student and parents to participate in a reengagement meeting.

### **Grievance and Appeal Process**

The grievance and appeal process for each corrective action is set forth in Procedure 3241P. The processes are summarized below, but Procedure 3241P provides the full recitation of applicable procedures.

#### **Grievance and Appeal Process for Student Discipline**

Any student or parent/guardian who disagrees with the imposition of discipline has the right to request an informal meeting with the building principal/designee for the purpose of resolving the grievance. Such request must be made within the time period specified in Procedure 3241P. The employee who imposed the discipline will be notified of the initiation of such a grievance as soon as reasonably possible. During this meeting, the student and parent(s)/guardian(s) will be subject to questioning by the principal/designee and shall be entitled to question school personnel involved in the matter being grieved.

After this school-level grievance meeting, if the issue is not resolved, the student or parent/guardian, upon giving two (2) school business days' prior notice to the appropriate Office of Teaching and Learning, Executive Director, will have the right to present a written and/or oral grievance to the superintendent or designee. Such grievance must be presented to the Superintendent or designee within the time period specified in Procedure 3241P. The Superintendent or designee will notify the student and the student's parents in writing of his or her decision within ten (10) school business days following receipt of the grievance.

Use of this grievance process will not impede or postpone the disciplinary action unless the principal or Superintendent elects to postpone such action.

Discipline that may be grieved under this section includes classroom exclusions and other forms of discipline, including detention, removal or suspension from athletic activity or participation and removal or suspension from school-provided transportation.

#### **Grievance and Appeal Process for Suspensions and Expulsions**

**Informal Conference:** If the student or parents disagree with the suspension or expulsion, they may request, either orally or writing, an informal conference with the Principal or designee.

- If requested, the informal conference must be held within 3 school business days of the request, unless otherwise agreed to by the student and parents.
- During the informal conference, the Principal or designee must provide the student and parents with the opportunity to:
  - Share the student's perspective and explanation regarding the behavioral violation;
  - Confer with the Principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and
  - Discuss other forms of discipline that may be administered.

### Appeal to Superintendent

A student or parents may appeal a suspension or expulsion to the Superintendent or designee orally or in writing within 5 business days (3 for emergency expulsions) of receipt of the written notice.

- **Short-term and In-school Suspensions**
  - **Appeal:** The Superintendent or designee must provide the student and parents the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.
  - **Appeal Decision:** The Superintendent or designee must deliver a written appeal decision to the student and parents in person, by mail, or by email within 2 school business days after receiving the appeal. The written decision must include:
    - The decision to affirm, reverse, or modify the suspension;
    - The duration and conditions of the suspension, including when the suspension will begin and end;
    - The educational services offered 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.
- **Long-term Suspensions and Expulsions**
  - **Notice:** within 1 school business day of receiving the appeal request (unless the parents agree to an extension), the Superintendent or designee must provide the student and parents with written notice in person, by mail, or by email of:
    - The time, date, and location of the appeal hearing;
    - The name(s) of the official(s) presiding over the appeal;
    - The student's and parents' rights to inspect the student's education records;
    - 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' hearing rights; and
    - Whether the district will offer to hold a reengagement meeting before the appeal hearing (not required for emergency expulsions).
  - **Reengagement:** before the appeal hearing for a long-term suspension or non-emergency expulsion, the student, parents, and school district may agree to hold a reengagement meeting and develop a reengagement plan. They may also mutually agree to postpone the appeal hearing while participating in the reengagement process.
  - **Timing:** The district must hold the hearing within 3 school business days (2 for emergency expulsions) from the date the Superintendent or designee received the appeal request, unless the student or parents agree to an extension.
    - **Evidence:** Upon request, the student, parents, and school district may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The requested information must be made available by the end of the school business day before the appeal hearing.
  - **Student/Parent Rights:** During the appeal hearing, the student and parents have the right to:
    - Be represented by legal counsel;

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- Question witnesses;
  - Share the student's perspective and explanation regarding the behavioral violation; and
  - Introduce relevant documentary, physical, or testimonial evidence.
- **Appeal Decision.** The decision must be based solely on the evidence presented at the hearing. A written decision must be provided to the student and parents in person, by mail, or by email within 3 school business days after the appeal hearing. The written decision must include:
- The findings of fact;
  - For long-term suspensions and non-emergency expulsions, a determination whether:
    - The student's behavior violated the District's discipline policy;
    - 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;
  - For emergency expulsions, a determination regarding whether 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 to the educational process;
  - For long-term suspensions and non-emergency expulsions, the duration and conditions of the suspension or expulsion, including when the suspension or expulsion will begin and end;
  - For emergency expulsions, whether the District will end the emergency expulsion or convert it to a suspension or expulsion.
  - 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; and
  - Notice of the opportunity to participate in a reengagement meeting and contact information for who will schedule of the reengagement meeting (not required for emergency expulsions).

### **Review and Reconsideration to the Board:**

The student or parents may request, either orally or in writing, that the school board review and reconsider the District's appeal decision.

- Procedure:
  - The board must 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 must be made by board members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the appeal decision.
- **Decision for Suspensions and Non-Emergency Expulsions:** The board must provide a written decision to the student and parents in person, by mail, or by email within 10 school business days after receiving the request for review and reconsideration. The written decision must identify:
  - Whether the board affirms, reverses, or modifies the suspension or expulsion;
  - The duration and conditions of the suspension or expulsion, including when the suspension or expulsion will begin and end; and
  - For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.
- **Decision for Emergency Expulsions:** The board must provide a written decision to the student

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and parents in person, by mail, or by email within 5 school business days after receiving the request for review and reconsideration. The written decision must identify:

- Whether the board affirms, reverses, or modifies the District's decision that the student's presence posed an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption to the educational process
- If the emergency expulsion has not ended or been converted, whether the District will end or convert it to a suspension or expulsion.

**Board of Directors**

Drayton Jackson – President  
Denise Tracy – Vice President  
Eric Greene – Legislative Representative  
Meghan Hein – Member  
Robert C. MacDermid – Member

**Superintendent**

Erin Prince, PhD

**Civil Rights Coordinator/Title IX Officer**

Jeanne Beckon, Assistant Superintendent of Human Resources  
(360) 662-1680

**Section 504 Coordinator**

Julie McKean, Executive Director of Special Services  
(360) 662-1066

**U.S. Department of Education, Office for Civil Rights, Region X**

Henry M. Jackson Federal Building  
Mail Code 10-9010  
915 Second Avenue  
Seattle, WA 98174-1099

**Central Kitsap School District**

9210 Silverdale Way NW  
Mailing Address: PO Box 8  
Silverdale, WA 98383-0008  
TEL (360) 662-1610  
FAX (360) 662-1611

The Central Kitsap School District complies with all applicable federal and state rules and regulations and does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability in its programs and activities, or employment related matters, and provides equal access to the Boy Scouts and other designated youth groups. The following employees are designated to handle questions and complaints of alleged discrimination in writing or by telephone: Assistant Superintendent of Human Resources, District Civil Rights/Title IX Compliance Coordinator, Jeanne Beckon (360) 662-1680; Executive Director of Special Services, Section 504 Coordinator for 28A.540 and 28A.642 RCW, Julie McKean, (360) 662-1066.

The Central Kitsap School District will also take steps to assure that national origin persons who lack English language skills can participate in all educational programs, services and activities. For information regarding interpretation and translation services or transitional bilingual education programs, contact Student Services in writing or by telephone: 1400 NE McWilliams Road, Bremerton, WA 98311, (360) 662-1734