

# Walla Walla Public Schools

## BOARD POLICY

Policy No. 3200

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### STUDENTS' RIGHTS AND RESPONSIBILITIES

#### I. MISSION

Walla Walla Public Schools, in partnership with the community, is committed to excellence in personalized learning which challenges and supports all students in becoming educated, productive citizens, and life-long learners.

In order to maintain and advance this mission, it shall be the responsibility and duty of each student to pursue his/her course of studies, obey the law, adhere to the policies of the school and district, and comply with the rules and regulations implementing these policies. In addition, the student is expected to safeguard the property of the school, help to keep the school safe, and to respect the rights and privileges of others in the school community.

In accordance with his/her level of maturity, each student is expected to accept responsibility for his/her own conduct. In order to accomplish the educational purposes of Walla Walla Public Schools in an effective school environment, the board of directors has approved this policy covering students' rights and responsibilities. When violations of these rules occur, the school district is authorized to take appropriate action designed to ensure more responsible behavior on the part of the student and to protect the safety and learning environment of the other students. When violations of the law are involved, the school or district may refer such matters to parents, legal guardians, or appropriate authorities.

#### II. APPLICABLE RULES AND REGULATIONS

Washington Administrative Code, Chapter 180-40, entitled "Student Rights and Responsibilities," has been observed in the development of Policy and Procedure 3200. In the event that inconsistencies exist between those administrative provisions and Policy and Procedure 3200 or that the State Board of Education revises the administrative provisions at a later date, the WAC shall supersede the district rules. The enforcement of rules promulgated by the Washington Interscholastic Activities Association and like organizations that govern the participation of students in interschool activities, and appeals in connection therewith, shall be governed by rules of the organization that have been adopted pursuant to RCW 28A.58.125 and approved by the State Board of Education and not by these rules.

#### III. STUDENT RIGHTS

In addition to other rights established by law, each student served by or in behalf of Walla Walla School District shall possess the following substantive rights. The school district shall not limit these rights except for good and sufficient cause:

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- (1) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, sexual orientation, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental, or sensory handicap.
- (2) All students possess the constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.
- (3) All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.
- (4) All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of Walla Walla School District.
- (5) No student shall be deprived of the right to an equal educational opportunity in whole or in part by a school district without due process of law.

The foregoing enumeration of rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the state of Washington or the rights retained by the people.

#### IV. STUDENT RESPONSIBILITIES FOR MISCONDUCT

##### A. DEFINING AND DISTRIBUTING OF MISCONDUCT RULES

- (1) It shall be the responsibility and duty of Walla Walla School District to adopt, publish, and make available to all students and parents/guardians written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. In addition, written procedures for administering corrective action shall be developed and reviewed periodically as follows:
  - (a) Walla Walla School District shall provide for the development with parent/guardian and community participation of written procedures for administering corrective action at each school as required by RCW 28A.600.020(3)

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- (b) In a manner consistent with the district procedures developed pursuant to (a) above, the principal and certificated employees in each school building shall confer at least annually for the purpose of developing or reviewing, or both, building discipline standards and the uniform enforcement of those standards, as required by RCW 28A.400.110.
  
- (2) Rules that establish types of misconduct pursuant to this section shall be integrated in such a manner that they 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.
  
- (3) The rules set forth in this policy, that establish types of misconduct pursuant to subsection (1) above, and the written procedures for administering corrective action adopted pursuant to subsection (1)(a) above, shall be published and made available to all students, parents and guardians on an annual basis. If a school district chooses not to distribute such rules to all students and parents/guardians, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy thereof shall be provided to students and parents/guardians on an annual basis in a manner reasonably calculated to come to their attention.

### B. AUTHORITY TO IMPOSE DISCIPLINE, SUSPENSION, OR EXPULSION

- (1) Each certificated teacher, each administrator, each school bus driver, and any other school employee designated by the Walla Walla School District Board of Directors shall possess the authority to impose discipline upon a student for misconduct which violates rules of the district established pursuant to WAC 180-40-225 and to impose an emergency removal from a class, subject, or activity upon a student pursuant to WAC 180-40-290.
  
- (2) Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first: Provided that, except in emergency circumstances as provided for in WAC 180-40-290, the teacher shall have first attempted one or more alternative forms of corrective action. Provided further, that in no event without the consent of the teacher shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.

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### V. DEFINITIONS APPLICABLE TO STUDENT MISCONDUCT

As used in Policy and Procedure 3200 the term:

- (1) “Discipline” shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: Provided, that the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of the school district.
- (2) “Suspension” shall mean a denial of attendance (other than for the balance of the immediate class period for “discipline” purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
- (3) “Short-term suspension” shall mean a suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.
- (4) “Long-term suspension” shall mean a suspension which exceeds a “short-term suspension” as defined in sub-section (3) of this section.
- (5) “Expulsion” shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for no longer than one year. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
- (6) “Emergency expulsions” shall mean a student may be excluded from school prior to a hearing, without other forms of corrective action, if the principal reasonably believes the student is an immediate and continuing danger to himself or herself, other students, staff, or administrators or is a substantial disruption to the educational process of the district. Emergency expulsions must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school.
- (7) “School business day” shall mean any calendar day, exclusive of Saturday, Sunday, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

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### VI. MISCONDUCT RULES

The types of misconduct for which discipline, short-term suspension, long-term suspension, emergency expulsion, or expulsion may be imposed upon a student shall include, but not be limited to, the following school district rules:

- (1) **VERBAL OR PHYSICAL ATTACKS** - An attack, either physical or verbal, on another person or any threat to physically or verbally harm another person.
- (2) **ENGAGING IN CRIMINAL ACTS IN GENERAL** - Engaging in criminal acts (whether criminally convicted or not) or acting with an intent to accomplish such a criminal act.
- (3) **DISORDERLY AND/OR DISRUPTIVE CONDUCT** – Creating a disturbance and/or using written, verbal, or physical abuse during school hours or at any or all school-sponsored activities.
- (4) **HARASSMENT** - Including, but not limited to, verbal, physical, or sexual harassment. (see Policy 6590)
- (5) **INTIMIDATION** - A threat of force or violence (spoken or unspoken) directed toward any person that causes another person fear.
- (6) **MALICIOUS MISCHIEF** - An act that willfully causes physical damage to the property of another and/or the school district.
- (7) **THEFT** - Obtaining or exerting unauthorized control over the property or services of another or the value thereof, with intent to deprive the person of such property or services.
- (8) **THREAT** - Communicating directly or indirectly the intent to cause bodily injury to a person or to cause physical damage to the property of a person.
- (9) **TOBACCO PRODUCTS** - The possession or use of tobacco products, including e-cigarettes, on school grounds or at school activities.
- (10) **INTERFERENCE** - Behavior of a student that substantially disrupts the educational process or interferes with any staff member who is fulfilling his/her duties and responsibilities.
- (11) **ALTERATION OF SCHOOL RECORDS** - Falsifying or altering a school record or any communication between home and school.
- (12) **CHEATING** - Knowingly submitting work of others represented as his/her own or aiding of cheating by others.

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- (13) **INAPPROPRIATE USE OF TECHNOLOGY** - Accessing information designated as off-limits, computer pirating, hacking, tampering with hardware and software, electronic use of harassing and abusive or obscene language, or using the network to annoy or offend others.
- (14) **TRESPASS** - Being in an unauthorized place under school jurisdiction and/or refusing to leave when ordered to do so.
- (15) **VANDALISM OR MALICIOUS DESTRUCTION OF SCHOOL PROPERTY** - Intentionally damaging or destroying without permission anything owned by the district.
- (16) **BOMB THREATS AND FALSE ALARMS** - Making or participating in a bomb threat or a false alarm.
- (17) **ALCOHOLIC BEVERAGES AND/OR CONTROLLED SUBSTANCES** - Possessing, using, delivering and/or selling of alcoholic beverages and/or controlled substances or drug paraphernalia on district premises or at any school sponsored activity.

In addition to the above general rules, individual schools are authorized to develop and implement building discipline plans specifying additional expectations and consequences for student behavior. Such plans shall be reasonable in nature and shall have the primary purpose of creating an orderly and appropriate educational environment within the building.

### VII. EXCEPTIONAL MISCONDUCT RULES

The type of actions considered as exceptional misconduct which shall be cause for immediate imposition of long-term suspension, emergency expulsion, or expulsion shall include but not necessarily be limited to the following school district rules:

- (1) **POSSESSION OR USE OF FIREARMS OR DANGEROUS WEAPONS** - Including explosives, illegal weapons such as, but not limited to, knives, martial arts weapons, tear gas or mace, pellet/BB guns or anything that could be interpreted to be a weapon or cause physical injury. Walla Walla Public Schools has a no tolerance policy toward persons who are in any way involved with a weapon on school property or at a school activity. Weapons violations will be handled according to Board Policy 4210.
- (2) **ASSAULT OF STAFF OR STUDENTS INVOLVING A WEAPON** - Violence, physical threats, verbal abuse, or intimidation with any item used as a weapon.
- (3) **ARSON**
- (4) **THEFT OR DAMAGE OF PROPERTY** - Cost of repairing or replacing is in excess of \$250.

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Legal Reference:	RCW	28A.210.310	Prohibition on use of tobacco on school property
		28A.600.010	Government of schools, pupils, and employees
		28A.600.015	Rules incorporating due process guarantees of pupils with regards to expulsions and suspensions.
	WAC	180-40	School rules defining misconduct--Distribution of rules

**Adopted by the Board: July 16, 2002**

**Revised: April 15, 2014**

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