

Due Process

Discipline • Suspension • Expulsion Appeals

Definitions

Discipline — "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion from a class for a period of time not exceeding the balance of the immediate class period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of a school district, including its athletic program and transportation.

Emergency Expulsion — "Emergency expulsion" shall mean the immediate denial of school attendance for an indefinite period of time due to an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process.

Emergency Removal — "Emergency removal" shall mean the immediate removal of a student from a class, subject, or activity when the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.

Expulsion — "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time.

Long-Term Suspension — "Long-term suspension" shall mean a suspension for up to ninety consecutive school days or to the end of the current semester.

Guardian — "Guardian" or "guardians" shall mean any adult granted legal custody and parental rights by court order. Students of majority age shall be entitled to parental rights.

Parent — "Parent" or "parents" shall mean any natural, adoptive, or custodial parent or guardian. Students of majority age shall be entitled to parental rights.

School Business Day — "School business day" shall mean any calendar day except Saturdays, Sundays, and state school holidays, upon which the office of the superintendent of the school district is open to the public. School business days shall be concluded upon the closure of the superintendent's office for the calendar day.

Short-Term Suspension — "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding a total of ten consecutive school days in a given semester, in grades kindergarten through grade five, and no more than a total of fifteen consecutive school days in a semester in grades six through twelve.

Suspension — "Suspension" shall mean denial of attendance, other than for the balance of the immediate class period for corrective action purposes, at any single subject or class or at any full schedule of subjects or classes for a stated period of time.

Procedures for Contesting Corrective Action Grievance Procedure for Discipline and Short-Term Suspensions

Any student or parent/guardian who disagrees with the imposition of discipline or a short-term suspension shall have the right to an informal meeting with the building principal/designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of such a grievance as soon as reasonably possible. During this meeting, the student and parent/guardian shall 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 school business days' prior notice to the superintendent's office, shall have the right to present

a written and/or oral grievance to the superintendent or designee.

If the issue is not resolved at this level, the student or parent, upon giving two school business days' prior notice to the superintendent's office, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The Board shall notify the student and parent/guardian of its response to the grievance within ten school business days after the date of the meeting.

The discipline or short-term suspension shall continue during the grievance procedure unless the principal or designee elects to postpone the action.

Hearing Process for Long-Term Suspensions or Expulsions

Any student or parent/guardian who disagrees with the imposition of a long-term suspension or expulsion may request a hearing to contest the action. The office of the superintendent must receive requests for a hearing within three school business days of receipt of the notice imposing the corrective action (ten school business days for emergency expulsions). If a timely request for a hearing is received, the school district shall schedule a hearing to commence within three school business days after the date upon which the district received the hearing request.

The student shall have the right to be represented by legal counsel, to question and confront witnesses, to present an explanation of the alleged misconduct, and to make such relevant showings by way of witnesses and the introduction of evidence as desired. Both the student and the school district representative shall have the right to inspect in advance of the hearing any documentary and other physical evidence the other party intends to introduce at the hearing.

The hearing officer assigned by the district to hear the case shall not be a witness in the case, and the truth of the allegations shall be determined solely on the basis of the evidence presented at the hearing. Either a tape-recorded or verbatim record of the

hearing shall be made. A written decision by the hearing officer setting forth the findings of fact, conclusions and the nature and duration of the corrective action to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and parent/guardian. In the case of emergency expulsions, the decision shall: (1) be rendered within one school business day; (2) be delivered by certified mail; and (3) include a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion still exists.

Unless an appeal is taken, any long-term suspension or expulsion decided upon by the hearing officer may be imposed as of the fourth school business day following receipt of the hearing officer's decision. An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action for the actions giving rise to the emergency expulsion in the first instance.

Appeal of a Hearing Officer's Decision Imposing a Long-Term Suspension or Expulsion

Any student or parent/guardian may appeal a hearing officer's decision imposing a long-term suspension or expulsion to the school board. Notice indicating that the student desires to appeal the hearing officer's decision must be in writing and must be made to the office of the school district superintendent or the office of the hearing officer within three school business days after the date of receipt of the hearing officer's decision.

If a timely appeal is taken to the board of directors, the suspension or expulsion may be imposed for up to ten consecutive school days during the appeal period, or until the appeal is decided, whichever is the shortest period; provided, however, that an emergency expulsion that is continued by the hearing officer need not be interrupted or stayed if the decision rendered includes a conclusion that the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing

threat of substantial disruption of the educational process. Any days that a student is temporarily excluded from school during the appeal period shall be applied to the term of the suspension or expulsion and shall not limit or extend the student's suspension or expulsion.

The appeal to the board of directors will be conducted in accordance with district policy Appeal of Long-Term Suspension or Expulsion to the Board of Directors and WAC 392-400-315.

Discipline of Special Education Students
Specific directions regarding appeal of disciplinary actions as they pertain to special education/handicapped students can be obtained through the Fife School District Assistant Superintendent's Office.

Student Discipline Cumulative Records
Discipline files will be kept for each student throughout their elementary careers. These files may be used as a reference in determining patterns of behavior for which corrective action is necessary. Progressive corrective action or punishment for inappropriate behavior patterns or similar cumulative violations may be assigned based upon these records.

Discipline files will be kept for each student throughout their secondary careers. These files may be used as a reference in determining patterns of behavior for which corrective action is necessary. Progressive corrective action or punishment for inappropriate behavior patterns or similar cumulative violations may be assigned based upon these records.

Teacher's Responsibilities and Authority For Student Discipline
Teachers shall maintain good order in their classrooms and shall enforce district rules for student conduct. Teachers shall, in accordance with the due process rights of the student, have the authority to discipline any student for any disruptive or disorderly conduct or other violation of rules for student conduct which may occur in the presence of the teacher. Teachers are expected not only to supervise

pupils while in the classroom, but also to assist in the general supervision over pupils during the school day. Teachers may also recommend short-term suspension, discipline, or expulsion of students to their building principal.

Teachers assigned to classroom duties shall keep and maintain accurate attendance records of students.

Teachers shall not maltreat or abuse any pupil by administering any unreasonable punishment.

Teachers may hold pupils to strict accountability in school for any disorderly conduct on the way to and from school or while under their supervision. They may make recommendations to the proper school authority for the discipline or suspension of pupils.

In cases of misconduct or insubordination, when ordinary and usual methods of correction are insufficient, the teacher may take the offending pupil to the building principal who shall take such action as he or she deems appropriate under the circumstances according to WAC 392-400.

Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher 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. This will be done provided that, except in emergency circumstances, the teacher shall have first attempted one or more alternative forms of corrective action. In no event without the consent of the teacher shall an excluded student be returned during the balance of that class or activity period.

Fife 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 or identity, disability, or the use of a trained dog guide or service animal by a person with a disability and provides equal access to the Boy Scouts and other designated youth groups. The following

employees have been designated to handle questions and complaints of alleged discrimination: Title IX Coordinator, Ben Ramirez, Assistant Superintendent: bramirez@fifeschools.com. Section 504/ADA Coordinator, Nancy Fitta, Director of Special Programs: nfitta@fifeschools.com Fife Public Schools: 5802 20th St. E., Tacoma, WA 98424, [253.517.1000](tel:253.517.1000).

The mission of Fife Public Schools is to provide an engaging and safe environment where learning is linked to life.

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FIFE SCHOOL DISTRICT
5802 20th Street East
Tacoma, Washington 98424
253.517.1000

Kevin Alfano Superintendent
Ben Ramirez Assistant Superintendent

School Principals:
Ron Ness Fife High School
Mark Robinson Columbia Junior High School
Jim Snider Surprise Lake Middle School
Josh Goodman Endeavour Elementary School
Don Sims Hedden Elementary School
Julie Bartlett Discovery Primary School

Student Discipline and Due Process Procedures

