

April 2019

Policy Alert

Important update to Student Discipline Policy

UPDATES

Essential

- 3241/3241P – Student Discipline

Encouraged

- 3200 – Rights and Responsibilities (Revised)
- 3240/3240P – Student Conduct Expectations and Reasonable Sanctions (Retired)

TABLE OF CONTENTS

- 3000 Series

WSSDA has revised, renamed, and reclassified **Model Policy and Procedure 3241 – Student Discipline** (formerly Classroom – Management, Discipline, and Corrective Action).

As you know, in 2016, our Legislature passed House Bill (HB) 1541, which was nothing short of sea-change legislation regarding student discipline. After a robust rulemaking process, OSPI adopted the final student discipline rules on July 30, 2018, with portions of the rules taking effect in the 2018-2019 school year and the remainder taking effect with the 2019-2020 school year. These important updates in this Policy Alert encompass Chapter 392-400 WAC in its full effect.

WAC 392-400-110 (1) requires districts to adopt a student discipline policy before the 2019-2020 school year; thus, Model Policy 3241 is now classified as Essential. Additionally, WAC 392-400-110 (1)(I) requires districts to adopt a policy that is “consistent with” WSSDA’s model policy. Further, WAC 393-400-110 specifies several specific components, which must be included in a district’s student discipline policy. Be assured that WSSDA Model Policy and Procedure 3241 – Student Discipline meets all of these needs.

Please note that new Model Policy and Procedure 3241 – Student Discipline are just that – a new policy and procedure. They are not slight revisions to the previous policy; therefore, a “track-changes” formatted version is not available. Instead, the intent of HB 1541, the specific provisions required by law, and significant new definitions of terms mandated a fresh approach. One of the significant new definition of terms is in the new title. “Discipline” means any action taken by a school district in response to behavioral violations; this does not necessarily convey a punitive action. Instead, responsive actions can and should strive to be supportive of students in meeting behavioral expectations. Districts retain the ability to administer exclusionary discipline as needed for safety. However, the reason to exclude a student from school is for safety, not as punishment.

As part of developing the new 3241 – Student Discipline Policy and Procedure, we took a close look at **Model Policy 3200 – Rights and Responsibilities**, and revised that policy to include important new information. Model Policy 3200 – Rights and Responsibilities is not an essential policy. However, if your district does not have such a policy, we encourage you to review the content of the revised policy and consider how you might employ that content. We also took a close look at (now former) **Model Policy and Procedure 3240 – Student Conduct Expectations and Reasonable Sanctions**, and determined that much of the information is no longer part of the current legal framework and other policies address any information that continues to be relevant. Therefore, we’ve retired that policy and procedure and encourage you to review similar policies you might have and either retire the policy and procedure or remove out-of-date information. Specifically, guidelines for using exclusionary discipline as a sanction in response to a behavioral violation is in discord with the current legal framework and districts should remove such.

New Model Policy and Procedure 3241 – Student Discipline contains a great deal of important information. Your school board will want to review its student discipline policy and procedure alongside the new model policy and procedure as soon as possible. Further, your board will want to engage with your community regarding your student discipline policy and procedure as much as possible. Please take special note of the highlighted sections, which need customization on a district-by-district basis. As always, you might wish to consult with your district attorney as needed.