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**All children have the
potential to succeed.**

Know Your Rights in Public Schools: School Discipline

TeamChild

Our Vision:

TeamChild believes that it is the paramount duty of our community to help youth overcome the obstacles of poverty, disability, neglect and abuse, racism and discrimination in order to achieve their true potential.

Our Mission:

TeamChild provides free civil legal advocacy and community education to help youth involved in the juvenile justice system secure the education, health, housing and other support they need to achieve positive outcomes in their lives.



Road Map

- Student Rights and Due Process
- Forms of Corrective Actions
- Readmission Process
- Discipline and Special Education



3 Most Important Things about School Discipline

1. Timelines to appeal school discipline are short. Students and parents must act quickly if they disagree with the discipline.
2. Students always have the right to challenge punishment and tell their side of the story.
3. Students have a right to basic due process before being completely excluded from school.



Forms of Corrective Action

Discipline: All forms of corrective action or punishment other than suspension and expulsion

Short term suspension: 10 days or less

Long-term suspension: A suspension lasting longer than 10 days.

Expulsion: Exclusion for a definite** period of time ending within one calendar year.

Emergency Expulsion: Immediate removal from school property, must be converted** to another form of corrective action.

**** Indicates upcoming changes to law that will be implemented for the 2013 school year. Regulations regarding these changes have not yet been written. SEE ENGROSSED SUBSTITUTE SENATE BILL 5946, <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=5946>**



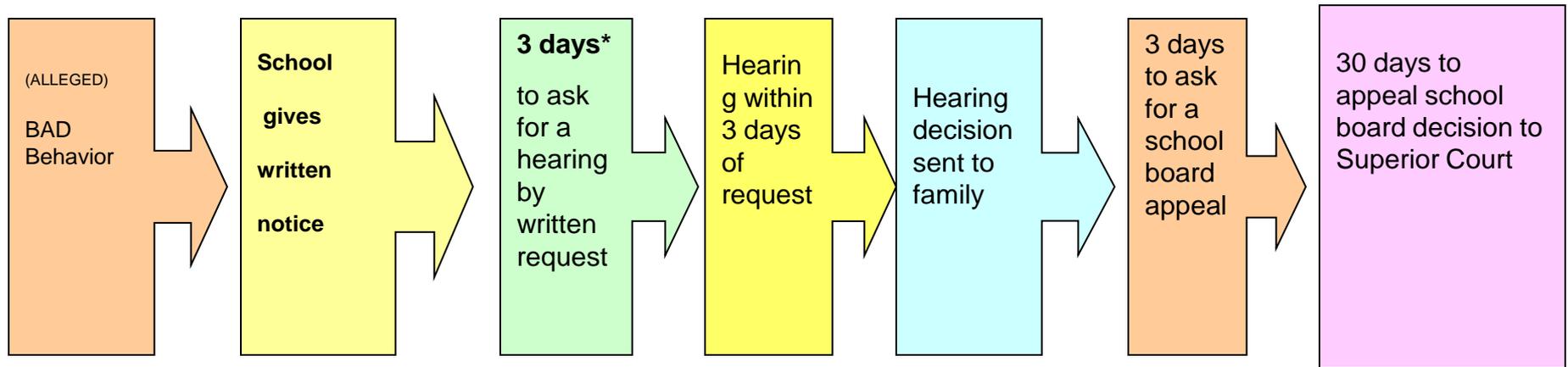
The Discipline Notice

- **Short term suspensions:**
 - Schools must provide oral or written notice and opportunity for informal conference.
- **For Long Term Suspensions, Emergency Expulsions and Expulsion:**
 - Schools must provide written notice of the discipline to be imposed to the student and parent/guardian.
 - The notice must be delivered in person or by certified mail to the student and the parent/guardian.



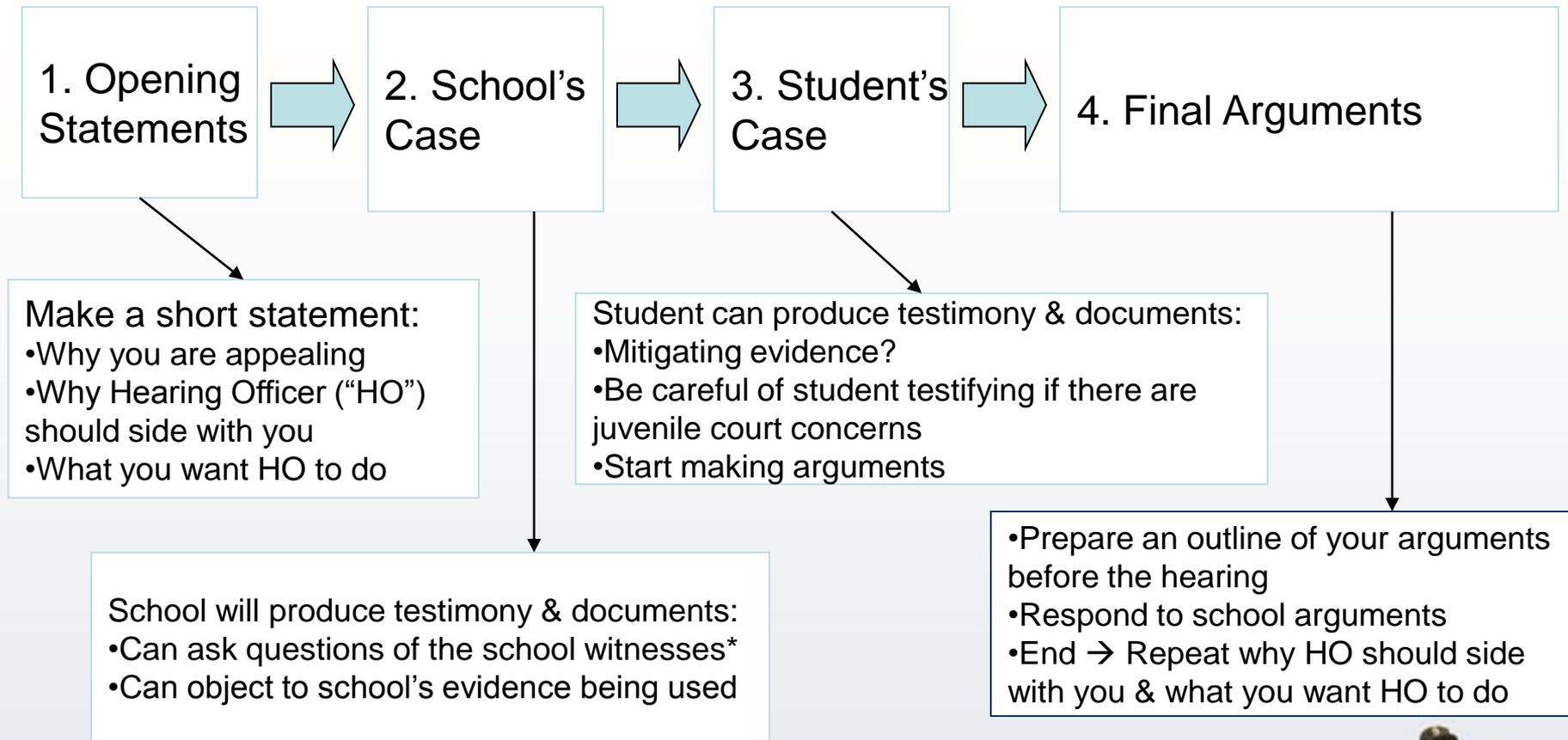
Timelines for Challenging Long Term Suspensions and Expulsions

A Quick Look at Timelines for Challenging Long-Term Suspensions and Expulsions



** For emergency expulsions, families have 10 days to request hearing.*

Discipline Hearing Format



Readmission

- Essentially an application to return to school
- Focus is not on what happened but on whether youth is ready to return to school
- Can make this request any time and repeatedly
- Each school district has different readmission procedures. Ask at the District.
- Opportunity to appeal to superior court within 30 days

New law will also require schools to convene re-engagement meeting with suspended or expelled students to facilitate school reengagement.



Troubleshooting Discipline Issues

- Act quickly - timelines are short and stakes are high
- Notices may be confusing, delayed or missing
- Schools may discourage pursuing a discipline hearing
- Districts might not be able to reach off-campus conduct
- Nature and circumstances must warrant punishment
- Try other forms of corrective action



Special Education and School Discipline

- Students should not be punished for behavior that is the result of their disability.
- Students with disabilities have the right to receive education even if they are expelled from school.
- The school administrator who is in charge of discipline may not know about the special needs of a particular student or the important steps that must be taken before imposing discipline.



Resources

TeamChild, Statewide Headquarters: (206) 322-2444

WAC Ch. 392-400: explains discipline procedures

Office of the Education Ombudsman (OEO): resolves complaints, disputes, and problems between families and Washington State elementary and secondary public schools in all areas that affect student learning. Toll-free phone number: 866-297-2597, <http://www.governor.wa.gov/oeo/default.asp>

Education Advocacy Manual in pdf: www.teamchild.org



Thank You

“Treat people as if they were what they should be, and you help them become what they are capable of becoming.”

-Goethe

