
HOUSE BILL 1292

State of Washington

54th Legislature

1995 Regular Session

By Representatives Pelesky, Carrell, McMahan, Huff, Campbell, L. Thomas, Smith, Crouse, Buck, Sherstad, Clements, Hymes, Thompson, Lambert, Mulliken, Padden, Radcliff, Johnson, Hickel, Mielke, Casada and Hargrove

Read first time 01/20/95. Referred to Committee on Education.

1 AN ACT Relating to classroom discipline; amending RCW 28A.600.020;
2 and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.600.020 and 1990 c 33 s 497 are each amended to
5 read as follows:

6 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
7 interpreted to insure that the optimum learning atmosphere of the
8 classroom is maintained, and that the highest consideration is given to
9 the judgment of qualified certificated educators regarding conditions
10 necessary to maintain the optimum learning atmosphere.

11 (2) Any student who creates a disruption of the educational process
12 in violation of the building disciplinary standards while under a
13 teacher's immediate supervision may be excluded by the teacher from his
14 or her individual classroom and instructional or activity area for all
15 or any portion of the balance of the school day or until the principal
16 or designee and teacher have conferred, whichever occurs first(~~(=~~
17 ~~PROVIDED, That~~)). Except in emergency circumstances, the teacher shall
18 have first attempted one or more alternative forms of corrective
19 action((: ~~PROVIDED FURTHER, That~~)). In no event without the consent

1 of the teacher shall an excluded student be returned during the balance
2 of that class or activity period.

3 (3) Maintaining order in the educational environment is a school-
4 based activity necessary for achieving a performance-based education
5 system and for improving student learning for all students, including
6 students with diverse needs and is consistent with the student learning
7 goals in RCW 28A.150.210.

8 In order to maintain an environment conducive to educational
9 excellence and to enhance the ability of all students to learn, school
10 teachers, principals, and superintendents shall have the authority to
11 expel permanently students who engage in consistent disruptive
12 behavior.

13 Permanent expulsion may be imposed for consistent disobedience or
14 disruptive behavior by a student that substantially interferes with the
15 educational process or the ability of a teacher, principal, or
16 superintendent to maintain discipline or provide a quality learning
17 environment.

18 A student with a handicapping condition shall not be expelled for
19 behavior that occurs solely as a result of the student's handicapping
20 condition.

21 Before permanent expulsion, a parent or legal guardian of the
22 student subject to permanent expulsion shall meet with the authorities
23 considering permanent expulsion and shall be given the opportunity to
24 sign a written understanding that the parent or legal guardian and the
25 student will work with school officials in specific ways to eliminate
26 the disruptive behavior, and that the student is on a probationary
27 status and further disruptive behavior may result in permanent
28 expulsion.

29 For violations of this subsection, a teacher may permanently expel
30 a student from his or her individual classroom or instructional or
31 activity area, a school principal may permanently expel a student from
32 the school, and a district superintendent may permanently expel a
33 student from the district. Expulsion shall be in compliance with
34 procedures developed under subsection (4) of this section.

35 (4) In order to preserve a beneficial learning environment for all
36 students and to maintain good order and discipline in each classroom,
37 every school district board of directors shall provide that written
38 procedures are developed for administering discipline at each school
39 within the district. Such procedures shall be developed with the

1 participation of parents and the community, and shall provide that the
2 teacher, principal, or superintendent, or his or her designee, and
3 other authorities designated by the board of directors, make every
4 reasonable attempt to involve the parent or guardian and the student in
5 the resolution of student discipline problems. Such procedures shall
6 provide that students may be excluded from their individual classes or
7 activities for periods of time in excess of that provided in subsection
8 (2) of this section, or permanently, if such students have repeatedly
9 disrupted the learning of other students(~~(:—PROVIDED, That))~~). The
10 procedures ((are)) shall be consistent with the ((regulations)) rules
11 of the state board of education and provide for early involvement of
12 parents in attempts to improve the student's behavior(~~(:—PROVIDED~~
13 FURTHER, That)). Pursuant to RCW 28A.400.110, the procedures shall
14 assure that all staff work cooperatively toward consistent enforcement
15 of proper student behavior throughout each school as well as within
16 each classroom.

17 School districts, district superintendents, school principals, and
18 teachers are not liable for civil damages or criminal penalties
19 resulting from the exclusion or permanent expulsion of a student from
20 an individual classroom or instructional or activity area, a school, or
21 a district unless a district superintendent, school principal, or
22 teacher acts with malice as defined in RCW 9A.04.110.

--- END ---