
HOUSE BILL 1970

State of Washington

55th Legislature

1997 Regular Session

By Representatives Bush, Mulliken, Carrell, Johnson, Smith, Thompson, L. Thomas, Mielke, Huff, Lambert, Koster, Backlund, Talcott, Buck, D. Schmidt and Sullivan

Read first time 02/17/97. Referred to Committee on Education.

1 AN ACT Relating to classroom discipline; amending RCW 28A.600.020;
2 adding a new section to chapter 28A.600 RCW; 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, parent, or guardian and teacher have conferred, whichever
17 occurs first(~~(: PROVIDED, That)~~). Except in emergency circumstances,
18 the teacher shall have first attempted one or more alternative forms of
19 corrective action(~~(: PROVIDED FURTHER, That)~~). In no event without

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

3 (3) In order to maintain an environment conducive to educational
4 excellence and to enhance the ability of all students to learn, school
5 teachers, principals, and superintendents shall have the authority to
6 expel permanently students who engage in consistent disruptive
7 behavior.

8 Permanent expulsion may be imposed for consistent disobedience or
9 disruptive behavior by a student that substantially interferes with the
10 educational process or the ability of a teacher, principal, or
11 superintendent to maintain discipline or provide a quality learning
12 environment.

13 Before permanent expulsion, a parent or legal guardian of the
14 student subject to permanent expulsion shall meet with the authorities
15 considering permanent expulsion and shall be given the opportunity to
16 sign a written understanding that the parent or legal guardian and the
17 student will work with school officials in specific ways to eliminate
18 the disruptive behavior, and that the student is on a probationary
19 status and further disruptive behavior may result in permanent
20 expulsion. School districts may require students on probationary
21 status to attend an alternative program.

22 For violations of this subsection, a teacher may permanently expel
23 a student from his or her individual classroom or instructional or
24 activity area, a school principal may permanently expel a student from
25 the school, and a district superintendent may permanently expel a
26 student from the district. Expulsion shall be in compliance with
27 procedures developed under subsection (4) of this section.

28 (4) In order to preserve a beneficial learning environment for all
29 students and to maintain good order and discipline in each classroom,
30 every school district board of directors shall provide that written
31 procedures are developed for administering discipline at each school
32 within the district. Such procedures shall be developed with the
33 participation of parents and the community, and shall provide that the
34 teacher, principal, or superintendent, or his or her designee, and
35 other authorities designated by the board of directors, make every
36 reasonable attempt to involve the parent or guardian and the student in
37 the resolution of student discipline problems. Such procedures shall
38 provide that students may be excluded from their individual classes or
39 activities for periods of time in excess of that provided in subsection

1 (2) of this section, or permanently, if such students have repeatedly
2 disrupted the learning of other students(~~(:—PROVIDED, That))~~). The
3 procedures ((are)) shall be consistent with the ((regulations)) rules
4 of the state board of education and provide for early involvement of
5 parents in attempts to improve the student's behavior(~~(:—PROVIDED~~
6 FURTHER, That)). Pursuant to RCW 28A.400.110, the procedures shall
7 assure that all staff work cooperatively toward consistent enforcement
8 of proper student behavior throughout each school as well as within
9 each classroom. If a teacher removes a student from a class or
10 activity, school districts shall make every effort to minimize the time
11 that a teacher must be away from the instructional period or activity
12 to confer with school district administrators and parents regarding
13 removal of the student.

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

20 NEW SECTION. Sec. 2. A new section is added to chapter 28A.600
21 RCW to read as follows:

22 Effective December 31, 1997, a summary of chapter . . . , Laws of
23 1997 (this act) pertaining to permanent expulsion shall be posted in
24 each public school classroom. The summary shall be prepared by the
25 superintendent of public instruction and distributed to school
26 districts by November 1, 1997.

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