

STUDENT DISCIPLINE UPDATES – HB 1541

Note: this chart is a summary of updates to HB 1541 as of the date above.* It is subject to OSPI rulemaking, which has not yet been completed. It is not intended to be relied on for policy changes.

Implementation School Year	Mandatory/ Discretionary	Legal Citation	Required Actions
2016-17	Mandatory	RCW 28A.320.211	<ul style="list-style-type: none"> Annually disseminate discipline policies and procedures to students, families, and the community Use disaggregated data collected to monitor the impact of discipline policy and procedure Periodically review and update discipline rules, policy, and procedure
2016-17	Mandatory	RCW 28A.600.015	<ul style="list-style-type: none"> Update school policy, procedure, and rules to reflect prohibition of long-term suspension or expulsion as a form of “discretionary discipline”ⁱ Before long-term suspending or expelling a student, “consider alternative actions” Continue educational services to student during suspension or expulsion [<i>See Alternative Setting</i>]
2016-17	Mandatory	RCW 28A.600.020	<ul style="list-style-type: none"> <i>Alternative Setting</i> – the education provided to the student during suspension or expulsion should be (1) comparable, (2) equitable, and (3) appropriate to the regular education services a student would have received without the exclusionary disciplineⁱⁱ
2016-17	Mandatory	RCW 28A.600.020	<ul style="list-style-type: none"> A long-term suspension or expulsion must have an end date of not more than the length of an “academic term”ⁱⁱⁱ as defined by the school board^{iv}
2016-2017	Mandatory	RCW 28A.600.022	<ul style="list-style-type: none"> Convene a reengagement meeting with student and parents within 20 days of imposing a long-term suspension or expulsion, but no later than 5 days before the student’s reenrollment^v Allow families to access, provide meaningful input on, and have the opportunity to participate in a “culturally sensitive” and “culturally responsive” reengagement plan^{vi}
2016-17	Discretionary	RCW 28A.415.410	<ul style="list-style-type: none"> Provide OSPI training to all school and district staff interacting with students regarding changes in the discipline policy and procedure

STUDENT DISCIPLINE UPDATES – HB 1541

Note: this chart is a summary of updates to HB 1541 as of the date above.* It is subject to OSPI rulemaking, which has not yet been completed. It is not intended to be relied on for policy changes.

2017-18	Mandatory	RCW 28A.345.090	<ul style="list-style-type: none"> Adopt and enforce a discipline policy and procedure consistent with the model WSSDA policy and procedure by 2017-2018 school year^{vii}
2017-18	Mandatory	RCW 28A.300.042	<ul style="list-style-type: none"> Submit student-level data using the US Dept. of Ed. 2007 race and ethnicity reporting guidelines (with modifications^{viii}) Collect student-level data for all newly enrolled students, including transfer students. When students enroll in different schools within the district, resurvey newly enrolled students for whom subracial and subethnic categories were not previously collected.

ⁱ May still long-term suspend or expel a student for: (1) a violation of the prohibition against firearms on school premises, transportation, or facilities; (2) certain violent offenses, sex offenses, offenses related to liquor, controlled substances, toxic inhalants, certain crimes related to firearms, assault, kidnapping, harassment, and arson; (3) two or more violations within a three year period of criminal gang intimidation or other gang activity on school grounds, possessing dangerous weapons on school facilities, willfully disobeying school administrators or refusing to leave public property, or defacing or injuring school property; or (4) behavior that adversely impacts the health or safety of other students or educational staff.

ⁱⁱ Examples of an “alternative setting” include alternative high school, one-on-one tutoring, online learning, and alternative learning experience (ALE). Alternative settings should include instruction from certificated teachers. School districts may now, however, claim state funding for students who have been long-term suspended or expelled as provided in WAC 392-121-108 and OSPI’s 2016-17 Enrollment Reporting Handbook.

ⁱⁱⁱ OSPI has interpreted this language to mean the “duration of time equal to the cumulative number of school days within an academic term, and does not mean lasting until the end of an academic term.”

^{iv} An exception to the academic term expulsion limitation applies for firearm offenses. *See* Gun-Free Schools Act, 20 U.S.C. §7961.

^v It is advisable to document the reengagement meeting, including school district, student, and family participation in the reengagement meeting.

^{vi} Consideration of “cultural competency” includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students’ experiences and identifying cultural contexts for individual students.

^{vii} School districts should consider adopting the WSSDA’s interim discipline policy and procedure, and/or take steps to ensure their current discipline policy and procedure is in compliance with the law.

^{viii} Modifications include: (1) disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors; (2) disaggregation of countries of origin for Asian students; (3) disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and (4) collection of racial and ethnic combination categories for multiracial students.