

Old Capitol Building
PO Box 47200
Olympia, WA 98504-7200



Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

April 16, 2021

() Action Required
(X) Informational

BULLETIN NO. 022-21 Special Programs & Federal Accountability

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Student Discipline Policy and Procedure Updates

CONTACT: Joshua Lynch, Student Discipline and Behavior Program Supervisor
360-725-4969, joshua.lynch@k12.wa.us

PURPOSE/BACKGROUND

In accordance with state law, school districts must adopt discipline policies and procedures consistent with the Office of Superintendent of Public Instruction's (OSPI) discipline rules under [chapter 392-400 WAC](#) and WSSDA's model discipline policy established under RCW [28A.345.090](#).

This bulletin outlines student discipline policy and procedure updates that districts must be aware of to implement changes at the local level. Districts may also refer to information on OSPI's [Student Discipline](#) webpage and WSSDA's [Featured Policies](#) webpage.

Recent Legislative Enactment and Amended Student Discipline Laws

With passage of [SSHB 1191](#) during the 2020 legislative session, RCW [13.04.155](#) was amended to remove inhaling toxic fumes, liquor violations, and other offenses from the list of behavioral violations for which a district may consider administering long-term suspension or expulsion under RCW [28A.600.015](#)(6)(b). These recent statutory changes went into effect for the 2020-21 school year and are reflected in WSSDA's updated model discipline policy. While these changes are not insignificant, regulatory provisions under WAC [392-400-440](#)(2) and WAC [392-400-445](#)(2), which became effective July 1, 2019 and augment the statutory provisions under RCW [28A.600.015](#)(6), remain the standard for determining whether long-term suspension or expulsion may be considered.

WSSDA Updated Model Discipline Policy and Procedure

With passage of [4SHB 1541](#) (2016), the Washington State School Directors' Association (WSSDA) was authorized to develop and update model school district discipline policies and procedures in coordination with OSPI.

To incorporate the provisions of recently enacted legislation and to support ongoing statewide [implementation of student discipline policies and procedures](#) at the local level, WSSDA recently made significant revisions to its model discipline policies and procedures. The revisions serve to more closely align WSSDA's model discipline policy with [OSPI guidance](#) and [Student Discipline Training](#) content.

WSSDA's updated Model Policy and Procedure 3241/3241P – Student Discipline incorporate elements from WSSDA's Model Policy 3200 – Rights and Responsibilities, which is now retired. The integration of these previously separate but interrelated policies clarify provisions of the law that task school districts with ensuring written procedures are developed for administering discipline at each school within the district. In particular, the policy revisions are intended to support district implementation of provisions under WAC [392-400-110](#) in the following areas:

- Clearly defining behavioral violations and clarifying what type of discipline may or may not be administered in response to different behavioral violations
- Identifying and implementing best practices and strategies to support students in meeting behavioral expectations
- Developing and reviewing discipline policies and procedures at the district level as well as establishing building discipline standards at the school level using disaggregated discipline data with the participation of staff, students, parents, families, and the community

WSSDA Supplementary Example Documents

In addition to the updated Model Policy and Procedure 3241/3241P – Student Discipline, WSSDA also made available two supplementary example documents. 3241F1 – Example District Discipline Matrix provides an example of clearly defined behavioral violations that includes information about related school referrals and protocols. The discipline matrix organizes behavioral violations by severity levels, including those identified under state law for which a district may consider administering long-term suspension or expulsion, in a manner that is consistent with state and federal laws. 3241F2 – Example District Continuum of Discipline Responses, which corresponds with the discipline matrix, provides an example of how best practices and strategies may be embedded in discipline procedures across severity levels of behavioral violations at the classroom and administrative levels. Districts are strongly encouraged to use the supplementary documents when developing and adopting district discipline policies and procedures in consultation with staff, students, parents, families, and the community. See RCW [28A.320.211](#); WAC [392-400-110\(2\)](#).

Implementation of District Discipline Policies and Procedures

As with WSSDA's previous model discipline policy, the revised version includes various sections where districts will need to explicitly include information based on decisions that are made at the local level. There are opportunities in the model policy for districts to make clear connections between district initiatives and district discipline policies—which may include information about the district's mission and equity statement, professional learning for staff, interventions and supports for students, and multi-tiered system of supports (MTSS) or positive behavioral interventions and supports (PBIS) framework.

Recent changes to Washington's discipline laws eliminated the legal foundation for zero-tolerance discipline policies that contribute to racial disparities and established a legal framework for districts to implement proactive, instructional, and restorative approaches to behavior. Although state laws establish the *minimum* substantive and procedural due process requirements for student discipline in schools, districts may adopt policies and procedures setting forth conditions and limitations that provide additional substantive and procedural protections for students. WSSDA's updated model discipline policy will support districts in making necessary policy changes at the local level to ensure equity in the administration of student discipline. Model Policy and Procedure 3241/3241P – Student Discipline and the supplementary documents are publicly available on the [Featured Policies](#) page of WSSDA's website.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Joshua Lynch, Student Discipline and Behavior Program Supervisor, at 360-725-4969, or email joshua.lynch@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

Jon Mishra, Ed.D.
Interim Executive Director
Special Programs & Federal Accountability

Jason Miller
Assistant Director
Title I, Part A & Learning Assistance Program

CR:jl

BULLETIN NO. 022-21 SP&FA

April 16, 2021

Page 4

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.