



Discipline Policy Updates: Substance-Use and Possession

Recently, important changes have occurred regarding discipline in schools. These changes relate to substance-use and substance possession. Comprehensive revisions to state discipline rules under [Chapter 392-400 WAC](#) that became effective July 1, 2019 task schools with:

- Improving proactive behavior supports, and
- Moving away from zero-tolerance, exclusionary discipline practices such as suspensions and expulsions

Mandated Suspension or Expulsion

Some school districts previously adopted policies mandating that students receive a minimum length of suspension or expulsion in response to substance violations; such policies are no longer allowable under state law. School districts may not adopt any zero-tolerance approaches in discipline policies and procedures that require a mandatory suspension or expulsion in response to any behavioral violation other than firearms violations.

- RCW [28A.600.015](#)(7) provides that, apart from firearms violations, school districts are not required to suspend or expel students for any behavior and explicitly encourages school districts to “consider alternative actions” before administering suspension or expulsion.
- Some school or district policies classified substance violations as “exceptional misconduct”. As of July 1, 2019 the regulatory provisions that made this allowable are no longer effective.
- WAC [392-400-435](#)(1) requires school districts to first attempt other forms of discipline to support the student in meeting behavioral expectations before administering a short-term or in-school suspension.
- WAC [392-400-440](#)(1) requires school districts to consider other forms of discipline to support the student in meeting behavioral expectations before administering a long-term suspension or expulsion.

Mandated Treatment and Assessments

Some school districts have been in the practice of mandating that students receive drug and alcohol assessments or treatment; such practices are not allowable under current and prior state law.

- RCW [28A.600.410](#) provides that districts may reduce the length of a student’s suspension conditioned by the commencement of treatment services—which may include completion of a drug assessment. However, nothing in the law *requires* a parent or student to do so, and districts cannot indefinitely suspend a student pending any scheduling or completion of such services.
- RCW [28A.600.015](#)(1) and RCW [28A.600.020](#)(6) prohibit school districts from administering suspensions or expulsions indefinitely and require that suspensions or expulsions must have an end date. Therefore, mandating students access services that may be unavailable or unwanted is not allowable.

Resources

Student Discipline Website

- [Student Discipline Rules Q&A: A Technical Guide](#)
- [Discipline in Schools: A Parent Guide](#) (available in 11 languages)

Substance Use Prevention & Intervention Website