



STUDENTS' RIGHTS AND RESPONSIBILITIES 2009-2010

Purpose:

The goal of discipline in Central Kitsap School District is to maintain a safe and productive environment for students and staff and to teach students to manage their own behavior. Excerpts of many of the Central Kitsap School District policies and procedures related to student behavior and discipline are included in this booklet. The Board of Directors' policies and procedures are available in school and District offices. If this summary is in conflict with the District's policies and procedures, the policies and procedures will control.

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Expectations for Students:

Students may be disciplined for violation of, aiding or abetting violations of, or an attempt to violate rules at school, on school district property, at school bus stops, on school buses, at school-sponsored activities, and for acts related to the orderly operation of the school and its activities. Students are expected to:

1. Obey school rules and directions of staff.
2. Attend class regularly and arrive on time.
3. Support the educational process with appropriate behavior.
4. Cooperate with school personnel.
5. Identify themselves by name on request to school staff.
6. Keep dangerous weapons and imitations of them away from school and school facilities. Weapons and imitations are prohibited.
7. Cooperate with others. Refrain from violence, threats, and harassment.
8. Not use or possess tobacco, alcohol, and drugs on school property. Use or possession of tobacco, alcohol and drugs on school property or at school sponsored activities is prohibited.
9. Use appropriate language.
10. Understand the potential danger of all fireworks and leave them at home. Fireworks are prohibited.
11. Drive vehicles (including bicycles) legally and safely.
12. Share their concerns about policy and procedure appropriately and effectively.

School Bus:

Follow the 'Expectations for Students' listed on the previous side of this page and the directions of the driver.

Criminal Acts:

Students (along with all other citizens) are expected to obey the law at school, on school district property, on school buses, and at school-sponsored events. Suspected violations of the law will be referred to law enforcement at the discretion of school administration and dealt with as a rule violation at school. Criminal acts include: arson; assault; burglary; coercion; extortion; malicious mischief; possession of weapons or explosives; forgery; robbery; theft; threats; trespass; and sale, delivery, or possession of alcohol or drugs.

Consequences for Violations:

Violations will have consequences consistent with rules established by the school. In the event that a violation needs to be addressed, staff can impose a range of penalties, including, but not limited to, those suggested on the back page of the attached Students' Rights and Responsibilities.

Each circumstance will be dealt with on an individual basis. Discipline will reflect the immediate circumstance and the student's discipline history. Before students are disciplined they will have the opportunity to explain their version of the facts and will be told why they are being disciplined.

Protest of Disciplinary Action:

To resolve a concern about a disciplinary action or short-term suspension that has not been solved at the school, a student, parent, or guardian may request a conference with a person designated by the Superintendent. In the event of a long-term suspension or expulsion, students, parents, and guardians may ask for a hearing. The decision following the conference or hearing may be appealed to the School Board, and subsequently appealed to the Superior Court. Time limits for appeals and other requirements are described in the attached Students' Rights and Responsibilities policies.

Searches:

School lockers and other storage areas issued to the student by the District may be searched without permission of students, and without reasonable cause. If there is reasonable cause, searches of personal effects and automobile searches may be conducted.

Weapons:

Students who bring a gun to any school in the State of Washington will be expelled. Those who bring any weapon to school will be severely disciplined up to and including expulsion. Central Kitsap School District practices a policy of zero tolerance for weapons of any sort, including replicas and "look-alikes" of weapons.

POLICY EXCERPTS AND SUMMARIES

Policy 2420 – Grading and Progress Reports, Withholding of Grades, Diplomas, and Transcripts

Any pupil who shall deface or otherwise injure any school property (including damage to computer configurations and electronic data) shall be liable to suspension and punishment. For any District property that has been lost or willfully cut, defaced, or injured, the District may withhold the grades, diploma and transcript of the pupil responsible for the damage or loss until the pupil or the pupil's parents or guardian has paid for the damages. When the pupil and parent or guardian are unable to pay for the damages, the District shall provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of voluntary work, the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of such pupil shall be liable for damages as otherwise provided by law.

Policy 3122 – Excused and Unexcused Absences

As a means of promoting responsible behavior and personal accountability, a student whose absence is not excused shall experience the disciplinary consequences related to his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student's absence is unexcused.

Policy 3200 – Students' Rights and Responsibilities

A primary responsibility of the Central Kitsap School District shall be the development of an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual, and the legal process whereby changes are brought about.

The school is a community and the rules and regulations of the school are the laws of that community. All those with citizenship in the school community have the responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community. The laws are designed and maintained for an effective learning environment.

Infringement on the rights of others and failure to exercise responsibilities will subject those concerned to corrective action. Disregard of the rules outlined may also constitute violation of criminal law and may subject violators to criminal punishment in addition to any penalty imposed by the District.

The following District statement, ordered by the State of Washington and expressed through the State Board of Education in regulatory provisions, is intended to help accomplish the educational purpose of the schools in the District.

A. Rights, Responsibilities and Limitations

The following are the rights and responsibilities of each student in the School District. Violation of, aiding or abetting violations of, conspiracy to violate, or an attempt to violate the following student rights and responsibilities constitutes grounds for discipline, suspension, and/or expulsion.

1. **ATTENDANCE** - Students have a responsibility to attend school. Regular and punctual class attendance is required.
2. **DISRUPTIVE BEHAVIOR** - Students have a responsibility to behave appropriately. Behavior which materially and substantially interferes with the educational process is prohibited.
3. **COOPERATION WITH SCHOOL PERSONNEL** - Students must obey the lawful instructions of School District personnel.
4. **CONSPIRACY** - A student has engaged in a prohibited conspiracy when he or she has agreed with one or more other people to engage in or cause the performance of prohibited conduct, and any one of them takes a substantial step in pursuance of such agreement.
5. **DELIVERY OR SALE OF NON-PRESCRIPTION, LEGAL DRUGS/MEDICINE** is prohibited.
6. **FREEDOM OF EXPRESSION** - Freedom of expression is respected by the District but may not be used to substantially disrupt the educational process or substantially interfere with the rights of others.
 - a. Written or spoken views must also be free from personal insults, threats, epithets, obscenities, or attempts to incite violence.
 - b. Students also have the freedom to assemble peacefully. Demonstrations that substantially interfere with the operation of the school or classroom are prohibited.
7. **TOBACCO USE/SMOKING MATERIALS** - Use or possession of tobacco, tobacco products, or other materials designed to be smoked is prohibited.

8. **MOTOR VEHICLE USE** - Students driving motor vehicles to or from school or on school district property shall abide by rules as published in the student handbooks and approved by the School Board.
9. **DRESS AND APPEARANCE** - The school recognizes that student dress and appearance is the primary responsibility of the parents. However, dress and appearance must not present health or safety problems, cause disruption, or create a risk of disruption at school or school-sponsored activities.
10. **REQUIREMENT TO IDENTIFY SELF** - All persons must, upon request, identify themselves to any School District personnel or authorities in the school building, on the school grounds, at school-sponsored events, or on school buses.
11. **SCHOOL RECORDS** - A student shall not in any way alter school records kept in any form, including electronic records, shall not intentionally view, attempt to access, examine, or copy school records except as authorized by school staff, and shall not use school equipment to view, examine, copy or alter the private records of any person or organization.
12. **OFF-CAMPUS EVENTS** - Students at school-sponsored, off-campus events shall be governed by District rules and regulations and are subject to the authority of School District personnel.
13. **REPEATED MISCONDUCT/CUMULATIVE VIOLATIONS** - A student shall not repeatedly fail to comply with District policies or school rules or with the directions of school staff during any period of time when s/he is properly under the authority of school staff. Students who repeatedly violate various school policies, rules, and regulations may be subject to suspension, notwithstanding the fact that each individual violation may not warrant such action. A principal shall consider imposing long-term suspension or expulsion as a sanction when deciding the appropriate disciplinary action for a student who engages in violations identified in RCW 28A.600.020(5).
14. **SEARCH AND SEIZURE** - Students shall have the right to be secure in their person, papers, and personal effects against unreasonable search and seizure. Board Policy 3230 specifies details concerning searches of students and their personal property.
15. **DISCRIMINATION** - The School District shall not deny any pupil equal educational opportunity or discriminate against any pupil because of national origin, race, religion, economic status, or gender. Furthermore, no pupil shall be denied such opportunity solely because of pregnancy, marital status, previous arrest, or previous incarceration.
16. **FIGHTING** - Fighting is prohibited. A student who is the principal aggressor in a fight or who fails to withdraw from a fight as soon as reasonably possible may also be guilty of assault. Discipline need not be the same for each student involved in a single fight.
17. **DEFIANCE** - Willful resistance of a request by a school employee, including disrespectful gestures or language, is prohibited.
18. **HARASSMENT/BULLYING** - Conduct through words, acts, or symbols that creates a hostile, threatening or intimidating environment such that a student is denied or limited in his or her ability to participate in or benefit from the school program is prohibited. Harassment, intimidation, and bullying also means any intentionally written message or image, including those that are electronically transmitted, a verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3), (race, color, religion, ancestry, national origin, gender, sexual orientation or mental or physical disability), or other distinguishing characteristics, and as further defined in Policy 3200. **SEXUAL HARASSMENT** - Defined in Policy 3209.
19. **MISREPRESENTATION** - Giving a false, improper, or imperfect representation of facts; cheating; plagiarism; forgery; or failing to represent correctly or properly is prohibited.
20. **OBSTRUCTION** - Obstruction is defined as the withholding of information during an investigation and is prohibited. Students who withhold information during an investigation may be subject to disciplinary action.
21. **PROFANITY, OFFENSIVE LANGUAGE OR ANY LEWD, INDECENT, OR OBSCENE ACT, EXPRESSION OR CONDUCT** is prohibited.
22. **USE OF ELECTRONIC COMMUNICATION AND MEDIA DEVICES SUCH AS CELLULAR PHONES AND ENTERTAINMENT DEVICES IN VIOLATION OF SCHOOL RULES** is prohibited.
23. **UNAUTHORIZED AREA** - A student shall not be in an area the student is not authorized to be in.
24. **POSSESSION OR USE OF INCENDIARY DEVICES AND MATERIALS** (for example, matches, lighters, lighter fluid, etc.) is prohibited.
25. **INTENTIONAL FAILURE TO FOLLOW SAFETY RULES ESTABLISHED FOR LAB CLASSROOM POLICIES** is prohibited.
26. **INTENTIONAL MISUSE OF SCHOOL EQUIPMENT, INCLUDING COMPUTERS, NETWORKS, INTERNET, SUPPLIES, OR FACILITIES** is prohibited.

27. **POSSESSION OF CONTRABAND AS DEFINED IN POLICY 3230** is prohibited. Other penalties may also apply to some types of contraband.
28. **VIOLATIONS WHICH MAY ALSO BE CRIMINAL ACTS** - Students are subject to the laws of the state of Washington. If a student's conduct appears to be criminal, the school will refer the student to law enforcement authorities. The following conduct is not permitted on school property, while students are subject to school supervision, or off-campus when it has a real and substantial relationship to school district operations or activities. Such conduct constitutes grounds for discipline, suspension or expulsion. All criminal activity is considered exceptional misconduct. The following activities are among those defined as criminal conduct:
- ARSON** - The intentional setting of fires.
- ASSAULT** - Inflicting or threatening or attempting to inflict physical injury on another person.
- BURGLARY** - Breaking and entry of school property with intent to commit a crime.
- CONSTRUCTION OR POSSESSION OF DRUG PARAPHERNALIA** - Construction or possession of drug paraphernalia including, but not limited to, pipes and syringes is prohibited.
- DANGEROUS WEAPONS, FIREWORKS AND EXPLOSIVE DEVICES** - Possession of dangerous weapons, fireworks and explosive devices is not permitted on school property including buses or at school-sponsored events.
- DRUGS OR ALCOHOL – GIVING/SHARING** - Students shall not give or share with any student or minor any illegal or prescription drug, or any alcoholic beverage, intoxicant or inhalant, or any substance the student represents is a substance listed above.
- FALSE ALARM OR FALSE REPORTING** - Students shall not intentionally make false reports of fires or other emergencies by pulling a fire alarm or otherwise making a false report.
- FIREARMS** - Firearms are prohibited on school property or at school-sponsored events.
- MALICIOUS MISCHIEF** - Intentional property damage, vandalism, graffiti. Malicious mischief is prohibited.
- ROBBERY** - Stealing from an individual by force or threat of force.
- SALE, USE, OR POSSESSION OF ALCOHOLIC BEVERAGES OR OF ILLEGAL DRUGS; OR OF PRESCRIPTION DRUGS** (except as prescribed, and as regulated by District procedure) ** - Students shall not sell, use or possess any illegal drug or alcoholic beverage, intoxicant or inhalant, or any substance the student represents is a substance listed above.
- THEFT/POSSESSION/BROKERING** - Taking or possessing another's property without permission and/or offering or agreeing to sell, trade or exchange stolen property.
- THREATENING, INTIMIDATION, COERCION OR EXTORTION OF SCHOOL AUTHORITIES** - Interfering with administrators, staff, or other adults by intimidation with threat of force or of violence (including bomb threats).
- THREATENING, INTIMIDATION, COERCION OR EXTORTION OF STUDENTS** - Interfering with a student by intimidation with threat of force or of violence (including bomb threats).
- ** The school official in charge will immediately remove from contact with other students anyone who appears to be affected by alcohol or drugs and shall contact the parent or legal guardian. Corrective action may be taken by the school regardless of whether or not criminal charges result.

B. Forms of Correction – Terms Defined

1. **“Discipline”** shall mean all forms of corrective action or punishment other than suspension and expulsion, and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: PROVIDED, that the student is in the custody of a School District employee for the balance of such period. Discipline shall also mean the exclusion of the student from any other type of activity conducted by or on behalf of a school district.
2. **“Suspension”** shall mean a denial of attendance (other than for the balance of the immediate class period for “discipline” purposes) at any single subject or class, or at any full schedule of subjects or classes, for a stated period of time. Suspensions stated in days shall be for the number of student school days stated (for example, 10 school days, not 10 calendar days). A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the School District.
 - a. **“Short-term suspension”** shall mean a suspension for any portion of a student school day up to and not exceeding ten consecutive school days.
 - b. **“Long-term suspension”** shall mean a suspension which exceeds a short-term suspension as defined above.
3. **“Expulsion”** shall mean a denial of attendance at any single subject or class, or at any full schedule of subjects or classes, for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the School District.

4. **“School business day”** shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the Superintendent of the School District is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the day.
5. **“Emergency expulsion”** shall mean a student may be expelled immediately by the School District superintendent or a designee of the superintendent, who shall be a building administrator or central office administrator, in emergency situations: PROVIDED, that the person expelling the student has good and sufficient reason to believe that the student’s presence poses an immediate and continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until rescinded or modified by the superintendent or the person who expelled the student, or until modified or reversed pursuant to the hearing provisions set forth in WAC 392-400-305 or the appeal provisions set forth in WAC 392-400-315.

C. Due Process

The Central Kitsap School District recognizes that the Fourteenth Amendment to the United States Constitution requires that no state shall deprive any person of due process of law. A student must be given an opportunity for a hearing if he/she indicates he/she desires to have one. The hearing would be held to allow the student to contest the facts upon which the designated school authority is acting.

D. Guidelines for Hearing and Emergency Expulsion, Long-Term Suspension, and Expulsion

Any notice required by this guideline other than a notice of appeal to the Superior Court shall be deemed complete upon hand delivery or on the second day after which the notice has been placed in the United States mail, properly addressed, and with first class postage affixed.

E. Out-of-School Conduct of Students

A student may be expelled, suspended, or disciplined for the performance of or failure to perform any act related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process. A student may be disciplined for violation of an activity contract provided that the discipline is limited to consequences stipulated in the activity contract.

Policy 3201 - Regulation of Dangerous Weapons, Explosives or Fireworks on School Premises

1. Firearms

- a. Any student in possession of a firearm on the property of any school, designated bus stop, or a school-sponsored event will be expelled from the Central Kitsap School District. In all such cases, police authorities will be notified by the principal of the school.
- b. No student expelled under this rule shall be considered for readmission prior to one year from the date of the violation. Upon written request for readmission, a committee will be convened to review the facts and make a recommendation to the superintendent. The committee will include, but not be limited to, an administrator and teacher from the school where the infraction occurred; the principal of the school which the student would ordinarily attend, or which the student is seeking admittance; a counselor or psychologist; and other professionals as may be deemed appropriate. The committee shall consider the safety of students and staff, and may establish readmission conditions that are related to the student’s prior record of behavior.

2. Dangerous Weapons, Explosive Devices, or Fireworks

- a. Any student in possession of dangerous weapon(s), fireworks or explosive device(s) on school property, designated bus stop, or a school-sponsored event shall be subject to expulsion, or suspension up to a maximum of 90 student days. In all cases of weapons possession, police authorities will be notified by the principal of the school.
- b. A dangerous weapon shall include, but not be limited to, the following: those listed in RCW 9.41.250; any device commonly known as “nun-chu-ka sticks,” consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; any device commonly known as “throwing stars,” which are multi-pointed metal objects designed to embed upon impact from any aspect; or any air gun, including any air pistol or air rifle designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas; look-alike weapons; or any other object not specifically defined in this policy, but intended to result in physical harm to another person.

3. Discipline of Disabled Students

Discipline of disabled students will be administered in accordance with state and federal laws.

Policy 3209 - Sexual Harassment – Students

It is the policy of the Central Kitsap School District that there be no discrimination against, or by, any student on the basis of sex. In keeping with that policy, the District will not tolerate sexual harassment of or by any of its employees, students, volunteers or parents. Sexual harassment is a violation of the District's rules of conduct for the work place and/or educational setting.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical contact or communication of a sexual nature if: (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of employment or obtaining an education, academic opportunity or achievement; (2) submission to or rejection of that conduct or communication by an individual is used in decisions affecting that individual's employment or educational opportunities or achievement; or (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's work or educational performance, or creates an intimidating, hostile or offensive work or educational environment. For the purpose of this definition, sexual harassment may include conduct or communication that involves adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, or female to female.

Examples of behavior which have been considered sexual harassment include without limitation: invitations for dates which do not stop when the response is negative; uninvited and deliberate touching or feigned accidental brushing against a person's body; feigned friendly pats, squeezes, pinches or other forms of physical contact; standing too close, cornering or stalking a person; using derogatory sexual terms for a person; uninvited letters, phone calls or gifts; teasing with sexually explicit or suggestive materials including "pin-ups" or sexually degrading cartoons posted in the school and/or work site; uninvited sexually suggestive looks, constant leering or ogling, or gestures; uninvited sexual teasing, remarks, or questions regarding an individual's personal life, which have no relationship to the school environment; and demands for sexual favors in return for hiring, promotion, tenure or grades or other employment or educational achievement.

Any individual who has been found, after appropriate investigation, to have sexually harassed a staff member, volunteer, parent or student will be subject to disciplinary action up to and including expulsion for students, discharge for staff or denial of access to school property or activities for others. The District shall take prompt remedial action designed and intended to correct any established sexual harassment without adversely affecting the victim.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

The Superintendent is directed to develop procedures that provide for receiving, investigating and resolving a complaint of alleged sexual harassment. Reprisals or retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate sanctions.

The Superintendent shall develop procedures to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and elements of this policy will be included in staff, student and regular volunteer orientation. This policy shall be posted in each district building in a place available to staff, students, parents, volunteers, and visitors. The policy shall be reproduced in each student, staff, volunteer, and parent handbook.

This policy shall be reviewed yearly by the Cabinet.

Policy 3230 - Student Privacy/Searches of Students and Their Property

Students are entitled to the guarantees of the Fourth Amendment and shall be secure in their persons, papers and effects against unreasonable searches and seizures. However, school officials have the responsibility of maintaining a safe environment and are empowered to conduct a reasonable search of a student and of the student's personal property when there is reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any search conducted must comply with applicable laws. School property shall remain under the control of school officials, and shall be subject to search.

1. Personal Searches. Any personal search of a student must be based upon reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the individual student has violated or is violating either the law or the rules of the school. The methods and extent of the search must be reasonably related to the expectation of the discovery of contraband, and the search must not be excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

Any search of a person or personal effects must be based on reasonable cause or grounds particularized to the individual student(s). Group searches without such individualized suspicion are not permitted.

- A. Personal Effects. A student's personal effects, such as purse or book bag, may be searched whenever a school official has reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
 - B. Search of Person. If a student is asked to empty and/or pull out his/her pockets or remove shoes, socks, hat or coat, if these garments are being worn, these steps are required.
 - 1. The student will be informed of the basis for the school official's reason for the search and will be asked to empty his/her pockets or remove the garment(s) named above.
 - 2. If the student does not consent, and the circumstances permit, the student's parents or guardian shall be called and informed of the circumstances.
 - 3. If consent is not given or the parent or guardian cannot be reached, law enforcement authorities may be called.
 - 4. The search should be conducted in private by a school official with an adult witness present whenever possible.
 - C. Pat-Down Searches. If a pat-down search is conducted, there must be reasonable cause or grounds for suspecting or believing that a student may be concealing a weapon, illegal drugs or something that may be of immediate danger to the student or to other students, staff or patrons. Prior to conducting a pat-down search, the school official will normally contact the superintendent's office. If such a search is conducted without contact with the superintendent's office, the school official must be able to articulate the danger(s) that indicated the need for conducting the pat-down search. Such a search will be conducted by a school official of the same sex whenever possible and in accordance with steps 1-4 above.
 - D. Strip Searches. No school official may subject a student to a strip search or body cavity search.
2. Locker/Desk/Storage Area Searches. Student lockers, desks, and other storage areas remain the property of the School District and school officials retain the right to inspect lockers, desks, or other storage areas assigned to students. School officials have authority to maintain order and discipline in schools and to protect students from exposure to illegal drugs, weapons, and contraband. No right nor expectation of privacy exists for any student as to School District property, including computers and networks, and the school principal, assistant principal, or person designated by a school administrator may search all student lockers, desks, and other storage areas at any time without prior notice and without reasonable cause or grounds for suspecting or believing that the search will turn up evidence of any particular student's violation of the law or school rule.
- If, and only if, the school official, as a result of the search, develops reasonable cause or grounds for suspecting or believing that any individual student's personal effects (e.g., book bag, backpack, or duffle bag) in any student locker, desk, or storage area, contain evidence of a student's violation of the law or school rule, the school official may search personal effects.
- 3. Automobile Searches. Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors and visible interiors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school official has reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the individual student(s) has violated or is violating either the law or the rules of the school. Such patrols and searches may be conducted without notice, without student consent, and without a search warrant. Police may be called.
 - 4. Seizure of Illegal Materials. If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to the proper legal authorities for ultimate disposition.
 - 5. Definitions. For purposes of this policy, the following definitions are applicable.
 - A. **"Contraband"** is all substances or materials, the presence of which is prohibited by school policy or state law, including but not limited to, controlled substances, drugs, abusable glue, or aerosol paint, alcohol, incendiary devices, guns, knives, and other objects that could be reasonably construed to be weapons; and computer hacking or proxy tools, which are software devices designed to gain unauthorized access to computers or networks or tools designed to disguise the source of a network communication.
 - B. **"Reasonable cause"** or grounds is the standard for a search on school property or at school-related events. It is based on the school official's specific belief or suspicion that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Specific reasonable suspicions may be drawn from instances including, but not limited to, a tip from a reliable student, suspicious behavior that suggests that contraband is present, a smell indicating the presence of the contraband, or a bulge in a pocket. Reasonable cause should not be based on mere hunch and must be particularized with respect to each individual student.
 - C. **"School official"** means only School District administrators or other personnel designated by the superintendent.
 - 6. Notice. Students will be provided notice of the policy and procedures concerning searches by having such notice placed in the student handbook or distributed by supplemental publication.

Policy 3241- Classroom Management and Student Discipline

1. Rights, Responsibilities, and Authority of Certificated Staff

Exclusion from the Classroom. Procedures for the consistent administration of discipline District-wide shall be developed with the participation of parents and the community and published annually. In addition, it shall be the responsibility of the building principals to determine that appropriate school discipline is established and enforced within their respective buildings, and to meet with their certificated staff annually to review building disciplinary standards and the enforcement of these standards. All discipline procedures shall provide for the involvement of parent or guardian and the student in the resolution of student discipline problems. Such procedures shall include conditions for removal of students from the classroom and instructional or activity area.

2. Student Discipline

Range of Penalties. The Central Kitsap School District believes that all students have the right to safe and productive educational experiences. Students' behaviors that interrupt or limit the educational process interfere with the rights of other students and are not allowed.

The infractions of school discipline listed at the end of this policy are grouped in categories according to the seriousness of the offense. All suggested penalties are stated in student school days, rather than calendar days. The list has been drawn from past records and from known situations. It is not intended to be exclusive or all-inclusive. All types of infractions may not be included and so modifications will be made, if necessary, at the discretion of the principal. In all instances, discretion of the interpretation is left to the individual principal to modify penalties suggested whenever extenuating circumstances seem to be present, in order that justice may be tempered with mercy and understanding. Offenses for which a suspension of more than 5 days is suggested are considered acts of exceptional misconduct. Any act of exceptional misconduct is cause for the District to consider disciplinary action beyond the range of suggested penalties (an example would be expulsion).

- A. Detention (Saturday school, or after-school detention)
- B. Work detail after school (1-5 days; specific task assigned)
- C. Confiscation (return to parent)
- D. Privileges/access revoked
- E. Restitution
- F. Driving privileges revoked for balance of semester
- G. Driving privileges revoked for balance of school year
- H. Suspension from bus for a period of up to 180 days
- I. Notification to Juvenile Court
- J. Police action
- K. Recommended expulsion
 - 1. Suspension – 1 day
 - 3. Suspension – 3 days
 - 5. Suspension – 5 days
 - 7. Suspension – 7 days
 - 10. Suspension – 10 days
 - 15. Suspension – 15 days
 - 20. Suspension – 20 days
 - 90. Suspension – 90 days

3. Detention. For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours on any given day.

Preceding the assessment of such corrective action, the staff member shall inform the student of the nature of the offense charged and of the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member.

Detention shall not begin until an attempt to reach the parent has been made (except in the case of the adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Students detained for corrective action shall be under the direct supervision of the staff member or another member of the professional staff.

The staff member shall be responsible for seeing that the time that the student spends for corrective action shall be used constructively for educational purposes.

4. In-School Suspension and Interim School Programs. The District, therefore, may employ, if funding is available, in-school suspension and interim school programs, which temporarily remove the student from the regular environment but permit the student to maintain his/her educational progress. Students who are assigned to in-school suspension or to the interim school program are granted this opportunity as a privilege and are expected to comply with the expectations of staff. The superintendent shall establish guidelines for the operation of the in-school suspension and interim school programs.

5. Grievance Process for Disciplinary Action (Other Than Suspensions or Expulsions). Any parent or student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the principal for the purpose of resolving the grievance. At such conference the student and parent shall be subject to questioning by the principal and shall be entitled to question staff involved in the matter being grieved.

The parent and student, after exhausting this remedy, shall have the right, upon two (2) school business days prior notice, to present a written and/or oral grievance to the superintendent's office. If the grievance is not resolved, the parent and student upon two (2) school business days prior notice, shall have the right to present a written grievance to the Board during the next regular meeting. A closed meeting may be held for the purpose of considering the grievance. The Board shall notify the parent and student of its response to the grievance within ten (10) school business days after the day of the regular meeting in which the grievance was presented. The disciplinary action shall continue notwithstanding implementation of the grievance procedure unless the principal, superintendent or Board elects to postpone such action.

6. Suspensions or Expulsions. The nature and circumstances of the student conduct violation must reasonably warrant a suspension or expulsion. No student shall be suspended or expelled unless other forms of corrective action reasonably calculated to modify his/her conduct have failed or unless there is a good reason to believe that other forms of corrective action would fail if employed.

Suspension or Expulsion for Unexcused Absence. No student shall be suspended or expelled because of one or more unexcused absences unless the District has first tried other disciplinary measures and:

- A. Provided written notice to the parent in his/her primary language that the student failed to attend without valid justification;
- B. Scheduled a conference with the parent and the student at a convenient time and place to analyze the cause for the student's absence to determine by appropriate means whether the student should be made a "focus of concern" for placement in special education or another special program; and
- C. Taken steps to reduce the student's absence which include, when appropriate to all parties, adjusting the student's school program, changing schools, or assisting the student to obtain supplementary services that might ameliorate the causes of absence.

7. Short-Term Suspension. In the event the proposed corrective action of a student is to include the denial of the right of school attendance from any single class or full schedule of classes for more than one and up to ten consecutive school days, a conference shall first be conducted with the student as follows:

- A. An oral or written notice of the charges shall be provided to the student.
- B. An oral or written explanation of the evidence in support of the charges shall be provided to the student.
- C. An oral or written explanation of the suspension that may be imposed shall be provided to the student.
- D. The student shall be provided the opportunity to present his/her explanation.

The parent of the student shall be notified of the reason for the suspension and the duration of the suspension orally or by U.S. mail as soon as reasonably possible.

Any student subject to a short-term suspension shall be provided the opportunity upon return to make up assignments and tests if:

- A. Such assignments or tests have a substantial effect upon the student's semester grade or grades; or
- B. Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

8. Appeal Process for Short-Term Suspension. Any parent or student who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the principal for the purpose of resolving the grievance. At such conference the student and parent shall be subject to questioning by the principal and shall be entitled to question staff involved in the matter being grieved.

The parent and student after exhausting this remedy shall have the right, upon two (2) school business days prior notice, to present a written and/or oral grievance to the superintendent. If the grievance is not resolved, the parent and student, upon two (2) school business days prior notice, shall have the right to present a written grievance to the Board at its next regular meeting. A closed meeting may be held for the purpose of considering the grievance. The Board shall notify the parent and student of its response to the grievance within ten (10) school business days after the date of the regular meeting in which the grievance was presented. The short-term suspension shall continue notwithstanding implementation of the grievance procedure unless the principal, superintendent, or Board elects to postpone such action.

9. Emergency Expulsion. A student may be excluded from school prior to a hearing without other forms of corrective action if the principal or the principal's designee reasonably believes the student is an immediate and continuing danger to himself/herself, other students, staff, or administrators or is a substantial disruption to the educational process of the District. Such emergency expulsion shall continue until the student is reinstated by the principal or until a fair hearing is held and a final determination is reached. Such an emergency expulsion shall be stayed, whether or not appeal is made to the Board, unless the hearing officer shall find that the student continues to present an immediate and continuing danger to himself/herself, other students, staff, or administrators, or continues to cause a substantial disruption to the educational process of the District. The provisions governing notice and hearing of regular long-term suspensions or expulsions shall apply except:

- A. Written notice of the emergency expulsion shall be sent by certified mail within 24 hours of the expulsion.
- B. The parent and student shall have ten (10) school business days after receipt of the notice during which to request a hearing.

The hearing officer shall render the decision within one (1) school business day after the conclusion of the hearing.

10. Long-Term Suspension or Expulsions

- A. A long-term suspension or expulsion may be imposed by the principal or the principal's designee only after a fair hearing is made available to the affected student and parent. Written notice of the hearing shall be delivered to the parent and student by certified mail or in person. The notice shall be in the parent's primary language and shall supply: (1) the alleged misconduct and the school rules alleged to have been violated, (2) the recommended corrective action or punishment, (3) the right to a hearing, (4) the notice that if a written request for a hearing is not received by the staff member named in the notice within three (3) school business days after the notice is received, the hearing shall be waived and the recommended corrective action or punishment shall take effect, and (5) the date by which the request for a hearing must be received.

If a hearing is requested, the superintendent shall schedule the matter for a hearing within three (3) school business days of such request.

The parent and student and the District or representative shall be permitted to inspect in advance of such hearing any affidavits or exhibits that are to be submitted at the hearing. The parent and student shall have the opportunity to be represented by counsel, to explain the alleged misconduct, and to present affidavits, exhibits, and such witnesses as desired, as well as the opportunity to question witnesses.

The hearing shall be conducted before a hearing officer appointed by the superintendent. Such hearing officer shall not be a witness and shall determine the facts of each case solely on the evidence presented at the hearing. The hearing officer shall state in writing the findings as to the facts, conclusions, and disposition to be made. The decision shall be provided to the parent and student or counsel.

If the hearing officer imposes a long-term suspension or expulsion, the parent and student shall have three (3) school business days after receiving the hearing decision to appeal that decision to the Board. If an appeal is not taken, the corrective action or punishment decided upon shall take effect at the end of this three-day period. If an appeal is made to the Board, the imposition of the corrective action or punishment may be stayed until such appeal is decided. However, in its discretion the District may impose the long-term suspension or expulsion during the appeal process for up to ten (10) school business days or until the Board makes its decision, whichever occurs first.

- B. Suspension or Expulsion of Handicapped or Disabled Student. Prior to imposing a long-term suspension or expulsion due to the misconduct of a handicapped student, the principal shall call a meeting of selected staff to:
 - 1. Determine whether the student's misconduct has a causal relationship to the student's handicap;
 - 2. Determine whether the student's misconduct is the result of an inappropriate placement; and
 - 3. Consider the sanction or action to be taken and whether the sanction will deny the student a free and appropriate public education.

Staff involved in this meeting shall be familiar with the:

- 1. Individual student's file;

2. Assessment date and the IEP that has been developed accordingly; and
3. Placement options that are available to the student.

If the misconduct is not related to the handicap, is not the result of inappropriate placement and will not result in denial of a free and appropriate public education (FAPE), then written notice of the proposed action shall be sent to the parents. This notice shall be sent by certified mail and include:

1. Date, time, place, and participants at the meeting;
2. Information and/or data used in reaching the decision;
3. The decision regarding the causal relationship of the handicap to the misconduct, the appropriateness of the placement, and the corrective action or punishment to be imposed;
4. The right to a due process hearing regarding the causal relationship of the handicapping condition and the misconduct; and
5. The right to a due process hearing regarding the imposition of a corrective action or punishment.

If the proposed school action is challenged as a substantial change in placement through a request for a hearing, special education policies and procedures shall be applicable.

11. Appeal Process for Long-Term Suspension or Expulsion. If a long-term suspension or expulsion is imposed, the parent and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

The Board shall schedule and hold a meeting to informally review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent, and/or counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the Board deems reasonable. Prior to adjournment, the Board shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and record its findings within ten (10) school business days;
- B. Schedule and hold a special meeting to hear further arguments on the case and record its findings within fifteen (15) school business days; or
- C. Hear and try the case de novo (as if it had not been heard before) before the Board within ten (10) school business days.

Any decision by the Board to impose or to affirm, reverse, or modify the imposition of suspension or expulsion upon a student shall be made only by:

- A. Those Board members who have heard or read the evidence,
- B. Those Board members who have not acted as a witness in the matter, and
- C. A majority vote at a meeting at which a quorum of the Board is present.

Within 30 days of receipt of the Board's final decision, any parent and student desiring to appeal any action upon the part of the Board regarding the suspension or expulsion may serve a notice of appeal upon the Board chairman and file such notice with the Clerk of the Superior Court for Kitsap County. Such notice shall also set forth in a clear and concise manner the errors complained of.

12. Emergency Removal. A student may be removed immediately from a class or subject by a teacher or administrator without other forms of corrective action and sent to the principal or a designated school official without first attempting corrective action, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or staff or an immediate and continuing threat of substantial disruption of the class, subject, or educational process of the student's school. The removal shall continue only until:

- A. The danger or threat ceases, or
- B. The principal acts to impose discipline, impose a short-term or long-term suspension or expulsion, or to impose an emergency expulsion.

The principal shall meet the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the next school day. The teacher or administrator who removed the student shall be notified of the action that has been taken or initiated.

13. Readmission Application Process. Any student who has been suspended or expelled shall be allowed to make application for readmission at any time. If a student desires to be readmitted to the school from which he/she has been suspended/expelled, the student shall submit a written application to the principal, who shall recommend admission or

non-admission. If a student wishes admission to another school, he/she shall submit the written application to the superintendent. The application shall include:

- A. Reasons the student wants to return and why the request should be considered;
- B. Evidence which supports the request; and
- C. A supporting statement from the parent or others who may have assisted the student.

The superintendent shall, in writing, advise the parent and student of the decision within seven (7) school days of the receipt of such application.

Policy 3242 – Closed Campus

Central Kitsap students are expected to remain on each assigned campus from the time they arrive in the morning until they depart at the end of the regular school day unless official permission to leave the school grounds has been obtained from the school's administration office.

Policy 3245P – Bus Conduct

The mission of the Transportation Department is to provide safe and timely bus service to the District's students. To do this, drivers must be able to concentrate on operating their vehicles in a variety of traffic conditions, being always alert and vigilant. Excessive noise or misconduct by bus passengers can distract a driver and endanger all students on the bus. Although transportation is a privilege, the support and cooperation of parents and students are needed to ensure that bus rides are as safe as possible.

All children attending the Central Kitsap public schools and meeting the eligibility requirements prescribed by the District are entitled to ride District buses, subject to all behavior rules authorized by the District in Policy 3245 and 3245P.

Bus Rules

1. The driver is in full charge of the bus and its passengers. Students shall obey the driver and/or teacher, coach, or other staff members.
2. Students shall ride only the assigned bus and get on and off at the assigned bus stop, unless signed written permission from the building administrators is given to the driver. Students suspended from one bus are suspended from all buses.
3. Students may be assigned to seats.
4. Students shall not engage in unsafe acts while waiting for the school bus. Students who cross the roadway will cross at the direction of the driver.
5. Students shall not bring hazardous items including breakable containers onto the bus.
6. Animals, other than service animals, are not allowed on a bus.
7. Belongings shall be kept out of the aisles and the areas in front of emergency exit doors and rear windows.
8. Items brought on the bus must be able to sit in the passenger's lap, or between his/her feet, without extending above the lower window ledge.
9. Ordinary conversation and classroom conduct must be observed.
10. Students are to remain seated until permission is given by the driver.
11. Students will not litter the bus. Eating and drinking are not allowed on the bus, except when authorized.
12. Students shall follow emergency exit drill procedures as prescribed by the driver.
13. No passenger may extend any body part out of a window.
14. Students causing damage to buses shall be charged with the cost of the damage.

Consequences for Misbehavior. Students may be disciplined for failure to comply with these bus rules. Discipline may include assignment to a specific bus seat, parent conference, and suspension of bus riding privileges. Students or parents may appeal the discipline found under Policy 3241.

OFFENSES AND SUGGESTED PENALTIES

- ✓ In all cases contact with student or parent is required.
- ✓ Staff can impose a range of penalties, including, but not limited to, those listed below.
- ✓ OFFENSES for which a suspension of more than 5 days is suggested are considered acts of exceptional misconduct. Any act of exceptional misconduct is cause for the District to consider disciplinary action beyond the range of suggested penalties.
- ✓ EMERGENCY EXPULSION: A student may be expelled immediately by the School District superintendent or his/her designee in emergency situations; PROVIDED that the superintendent or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until rescinded or modified by the superintendent or his/her designee, or until modified or reversed pursuant to the hearing provisions set forth in WAC 180-40-305 or the appeal provisions set forth in WAC 180-40-315.

Policy and Procedure Reference	Offense Categories	1st Offense (Any or all listed)	2nd Offense (Any or all listed)	3rd Offense (Any or all listed)
3200	Alteration of written or electronic records or files	90, J	90, J, K	90, J, K
3200	Arson	1 st and subsequent offenses: 90, J, K		
3200	Assault on school personnel (or transferred Assault)	1 st and subsequent offenses: 90, J, K		
3200	Assault on students and/or others	1 st and subsequent offenses: 90, J, K		
3200	Conspiracy	Same as offense which is subject of conspiracy		
3200	Construction/possession of drug paraphernalia	20, J	90, J	90, J, K
3200; 3201; 3240P	Dangerous weapons, fireworks/explosive devices (excluding firearms), use/possession of	1 st and subsequent offenses: 90, J, K		
3200	*Drugs or alcohol, giving or sharing	30, J	90, J	90, J, K
3200	*Drugs or alcohol, sale or delivery of	90, J	90, J, K	90, J, K
3200; 3240P	*Drugs or alcohol, use/possession of/under the influence	20, J	90, J	90, J, K
3200	False alarm or false reporting of an emergency or crime	15, J, E	90, J, E	90, J, K, E
3200; 3201; 3240	Firearms, use/possession of	1 st and subsequent offenses: Expulsion, J		
3200	Malicious mischief (including discharge of laser)	7, A, J, E, B	15, A, J, E	90, J, E
3200	Theft/possession/brokering of stolen property - more than \$25	15, J, E	90, J, E	90, J, K, E
3200	Threatening, intimidation, coercion, or extortion of school personnel/others (including bomb threats)	1 st and subsequent offenses: 90, J, K		
3200	Threatening, intimidation, coercion, or extortion of students (including bomb threats)	1 st and subsequent offenses: 90, J, K		
3200; 3122	Chronic tardiness to school or class	A, B	1, A, B	3, A, B
3200; 3240	Defiance	3, A, B	7, A, B	15, A, B
3200	Delivery or sale of legal non-prescription drugs/medicine	1, A, C	3, A, C	7, A, C
3200	Disruptive behavior	3, A, B	7, A, B	15, A, B
3200	Failure to drive safely on school grounds	3, A, B, E, F, J	7, G, J, E, B	90, G, J, E
3200	Fighting	5, A, B, J	15, B, J	90, B, J
3200	Gambling	1, A	3	5
3200	Harassment/bullying	7, A, B, J	15, J, B	90, J, K
3200; 3209	Harassment, sexual	7, J	15, J	90, J, K
3200	** Intentional failure to follow safety rules established for lab classroom policies	1, A, B, D	3, B, D	5, B, D
3200	Intentional misuse of school equipment, including computers, networks, Internet, supplies, or facilities	3, E, D, B	7, E, D, B	15, E, D, B
3242	Leaving school grounds without permission	3, A, B	7, A, B	15
3200	Misrepresentation, lying, cheating, or forgery (including plagiarism)	7, A, B	10, B	90
3200	Obstruction	10, A, B	20, A, B	90, A, B
3200; 3230	Possession of contraband	1, A, B	3, A, B	7, A, B
3200	Possession or use of incendiary devices and materials	1, A, B	3, A, B	7, A, B
3200	Profanity, offensive language or lewd conduct	1, A, B	3, A, B	7, A
3200	Repeated misconduct/cumulative violations	3, A, B	7, A, B	15, A
3200	Theft/possession/brokering of stolen property - \$25 or less	5, E, B	7, J, E, B	15, J, E
3021; 3200	Truancy	1, A, I, B	3, I, B	15, I, B
2420; 3200	Unauthorized access to, or attempt to access, written or electronic records or files	7, A, J, D, B	15, J, D, B	90, J, K, D
3200	Unauthorized area (presence in)	1, D, B	3, D, B	5, D
3200	Use of electronic communication and media devices such as cellular phones and entertainment devices in violation of school rules	1 st and subsequent offenses: A, C, B		
3200; 3240P	Use or possession of tobacco products/smoking material	3, A, B	7, A, B	15, A
3245; 3245P	<i>The following penalties refer to bus riding privileges and may be imposed independently or in addition to penalties from categories 1 & 2 above.</i>			
	Failure to cooperate with the driver	3	15	90
	Failure to observe safety rules or unsafe conduct	5	15	H
	Unauthorized use or manipulation of safety equipment	5	H	H

Key to Suggested Penalty Codes

A. Detention (Saturday school, or after-school detention)	F. Driving privileges revoked for balance of semester	1. Suspension - 1 day	<i>All suggested penalties are stated in school days.</i>
B. Work detail after school (1-5 days; specific task assigned)	G. Driving privileges revoked for balance of school year	3. Suspension - 3 days	
C. Confiscation (return to parent)	H. Suspension from bus for a period up to 180 days	5. Suspension - 5 days	
D. Privileges/access revoked	I. Notification to Juvenile Court	7. Suspension - 7 days	
E. Restitution	J. Police action	10. Suspension - 10 days	
	K. Recommended expulsion	15. Suspension - 15 days	
		20. Suspension - 20 days	
		90. Suspension - 90 days	

* Any part of a penalty may be reduced or suspended, conditioned on the offender's participation in drug and alcohol assessment and appropriate follow-up if available. By making referral and follow-up a condition of reduction or suspension, the District does not assume responsibility for provision of the program or for payment of its cost.

** Lab areas defined as teaching stations, such as science, physical education, art, career and technical classes, and computer classes.