



# STUDENTS' RIGHTS AND RESPONSIBILITIES

## 2005-2006

### *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; battery; 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 School Board. 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 spelled out 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 - Withholding of Grades, Diplomas, and Transcripts**

Any pupil who shall deface or otherwise injure any school property 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 transcripts of the pupil responsible for the damage or loss until the pupil or his/her parent(s) or guardian has paid for the damages.

When the pupil and parent or guardian are unable to pay for the damages, the School 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 instilling values of responsibility and personal accountability, a student whose absence is not excused shall experience the natural consequences of his/her truancy. A student may be suspended or expelled for habitual truancy.

## **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 necessary 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, 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 CONDUCT** - Students have a responsibility to behave appropriately. Conduct 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. **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. Written or spoken views must also be free from personal insults, threats, epithets, obscenities, or attempts to incite violence. Students also have the freedom to assemble peacefully. Demonstrations that substantially interfere with the operation of the school or classroom are prohibited.
5. **TOBACCO USE** - Tobacco use or possession on school property is prohibited.
6. **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.
7. **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.
8. **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.

9. **SCHOOL RECORDS** - A student shall not in any way alter school records kept in any form, including electronic records, shall not intentionally view, 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.
10. **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.
11. **CUMULATIVE VIOLATIONS** - 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).
12. **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 (appearing later in this document) specifies details concerning searches of students and their personal property.
13. **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.
14. **FIGHTING** - Mutual combat between two or more students 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.
15. **DEFIANCE** - Willful resistance of a request by a school employee, including disrespectful gestures or language is prohibited.
16. **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 programs is prohibited. Harassment/bullying specifically includes, but is not limited to, harassment with reference to the national origin, race, religion, gender, sexual preference or disability of another.
- SEXUAL HARASSMENT** - Sexual harassment is prohibited and 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.
17. **MISREPRESENTATION** - Giving a false, improper, or imperfect representation of facts; cheating; plagiarism; or failing to represent correctly or properly is prohibited.
18. **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.
19. **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 students to law enforcement authorities. Criminal 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.
- EXPLOSIVES** - Possession of explosives is not permitted on school property including buses or at school-sponsored events.
- EXTORTION, BLACKMAIL, OR COERCION** - Obtaining money or property by violence or threat of violence, or forcing someone to do something against his will by force or threat of force.
- FIREARMS AND DANGEROUS WEAPONS** - Firearms and dangerous weapons are prohibited on school property or at school-sponsored events.
- MALICIOUS MISCHIEF** - Discharge of laser or intentional property damage, vandalism.

**ROBBERY** - Stealing from an individual by force or threat of force.

**SALE, USE, OR POSSESSION OF ALCOHOLIC BEVERAGES OR OF ILLEGAL DRUGS** \*\*

**THEFT** - Taking another's property without permission.

**THREATENING OR INTIMIDATION OF SCHOOL AUTHORITIES** - Interfering with administrators, staff, or other adults by intimidation with threat of force or of violence (including bomb threats).

**THREATENING OR INTIMIDATION OF STUDENTS** - Interfering with the student instructional day by intimidation with threat of force or of violence (including bomb threats).

**TRESPASS** - Being present in an unauthorized place or refusing to leave when ordered to do so by authorities.

\*\* 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 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.

#### **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 Grievance of a Short-Term Suspension.**

1. Prior to the short-term suspension of any student a conference shall be conducted with the student. An oral or written explanation:
  - a. of the alleged misconduct and violation(s) of School District rules shall be provided to the student,
  - b. of the evidence in support of the allegation(s) shall be provided to the student,
  - c. of the corrective action or punishment which may be imposed shall be provided to the student, and

- d. the student shall be provided the opportunity to present his/her explanation.
2. In the event a short-term suspension is administered, the parent(s) or guardian(s) shall be notified orally and/or in writing of the reason and the duration of the suspension. Parent(s) or guardian(s) shall also be informed of the right to an informal conference. This conference shall be for the purpose of resolving the matter at hand. Both parents or guardians, pupil, and involved school personnel shall be entitled to question each other.
3. If the conference does not resolve the matter, the student and/or his/her parent(s) or guardian(s) may, upon two school business days prior notice, have the right to present a written/oral statement to the Superintendent or his/her designee for resolution. The suspension shall continue pending further process unless the principal or designee postpones such action.
4. If a resolution is not reached, the student and/or his/her parent(s) or guardian(s) may, upon two school business days prior notice, have the right to present an oral or written grievance to the School Board during the Board's next regular meeting unless a closed session is specifically requested by the pupil and/or the parents or guardian.
5. The School Board will declare its response within ten school business days after date of its meeting. The suspension shall continue unless the principal or designee(s) elects to postpone such action.

**E. Guidelines for Hearings of Emergency Expulsion, Long-Term Suspension, and Expulsion.**

1. The school authority must notify in writing the student and his/her parent(s) or guardian(s) of an emergency expulsion, recommended long-term suspension or expulsion. The notification must inform them of the specific violation alleged, the action contemplated, and must inform them of their rights.
2. The student and/or his/her parent(s) or guardian(s) must reply in writing or orally to the Superintendent or his/her designee to request a hearing.
  - a. In response to notice of emergency expulsion before the expiration of the tenth school business day.
  - b. In response to notice of long-term suspension and expulsion, before the expiration of the third school business day, after the day notice is received. If a hearing is not requested within the specified time, the right to a hearing is lost or waived.
3. If a timely request for hearing is made, the School District shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
4. The student and his/her parent(s) or guardian(s) shall have the right to:
  - a. inspect in advance of the hearing any documentary and other physical evidence which the School District intends to introduce at the hearing,
  - b. be represented by legal counsel,
  - c. question and confront witnesses, subject to the limitations in WAC 180-40-270, 285, 305, and 315.
  - d. present his/her explanation of the alleged misconduct, and
  - e. make relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
5. The designee(s) of the School District assigned to present the District's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his/her parent(s) or guardian(s) intend to introduce at the hearing.
6. The person(s) hearing the case shall not be a witness, and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
7. Either a tape recorded or verbatim record of the hearing shall be made.
8. If the student is under:
  - a. An emergency expulsion, upon conclusion of the hearing, the hearing authority shall notify the parties of his/her decision within one school business day.
  - b. A long-term suspension, upon conclusion of the hearing, the hearing authority shall notify the parties of his/her decision in writing. If the student or his/her parents wish to appeal the decision of this hearing to the School Board, they shall have three school days from receipt of the decision of the hearing authority. If an appeal is not taken to the School Board, the decision shall take effect at the end of the three school-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 school business days or until the Board makes its decision whichever occurs first.
9. Appeal to Superior Court may be made within thirty days of receipt of the School Board's final decision. This notice shall be filed with the clerk of Superior Court of the State of Washington for Kitsap County and with the School

District. Appealing the decision of the School Board to the Superior Court does not stay the decision of the School Board pending disposition of the appeal unless specifically ordered by the court.

10. 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.

#### **F. Delegation of Board Appeals of Student Disciplinary Action.**

The Board reserves the right to delegate on proper School Board motion its authority to hear and decide student appeals of disciplinary actions, including appeals of discipline, suspensions and expulsions, to a "disciplinary appeal council." The disciplinary appeal council shall be comprised of three or more persons appointed by the Board upon recommendation of the Superintendent. Members of the disciplinary appeal council must be residents of the District and may not be employees. They shall serve for terms of one year, commencing on September 1, and may be reappointed for an ensuing term(s) at the discretion of the Board. The disciplinary appeal council shall follow the procedural and substantive due process rules of WAC 180-40 applicable to the Board in hearing and deciding student disciplinary appeals delegated to it.

#### **G. 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 - Possession of Firearm(s), Dangerous Weapon(s), or Explosive Device(s)**

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, which are related to the student's prior record of behavior.
2. Dangerous Weapons or Explosive Devices:
  - a. Any student in possession of dangerous weapon(s) 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 knives 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 imbed 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 school 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 to be 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 or in the case of possible criminal activity, 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 or designee. If such a search is conducted without contact with the Superintendent or designee, the school official must be able to articulate the danger(s) which 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, and the school principal, assistant principal, or principal's designee 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(s) 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.
  - 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 which 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 3240P – Student Conduct – Truancy

Truancy is defined as an unauthorized and willful absence from school, class, or scheduled activity during any part of the school day. The decision whether a student is a truant or not must and shall be made by the school principal. A

student who exhibits a pattern of truancy shall be classified as a habitual truant and shall be subject to corrective action or punishment.

### **Policy 3241- Classroom Management and Student Discipline**

**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.

**Preamble.** The following procedures are developed for the purpose of ensuring that the optimum learning atmosphere of the classroom is maintained. Any student who creates a disruption of the educational process may be excluded by the teacher from the classroom and instructional or activity areas.

#### **Procedures**

- A. The principal and staff of each school shall work cooperatively in establishing consistent rules and regulations for enforcement of proper student behavior throughout the school. Teachers, collectively or individually, shall develop classroom rules and regulations which are in accordance with the building rules. These rules shall also provide for removal due to emergency circumstances.
- B. Principals and staff shall develop a procedure of disciplinary progression for noncompliance with the rules and regulations. These procedures shall include:
  1. Due Process
    - a. All students shall be advised of the school and classroom rules, regulations, and consequences that will be imposed.
    - b. The student breaking a rule will be notified of the rule broken and given an opportunity to respond.
    - c. The student will be notified of the consequences of further disruptive actions.
  2. Student involvement in the resolution of the problem.
  3. Early involvement of parents in attempts to improve the student's behavior.
- C. The principal shall set up a method for documentation of inappropriate behavior and corrective action taken.
- D. The teacher must have attempted one or more alternative forms of corrective action before a student may be excluded from the classroom, except in item G below.
- E. Students may be excluded from a classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred.
- F. The excluded student cannot be returned during the balance of that class or activity period, or up to the following two days without the teacher's consent, or until the principal or his or her designee and the teacher have conferred.
- G. The classroom teacher may exclude a student from class without first attempting one or more forms of corrective action when the teacher has sufficient reason to believe that the student's continued presence in class poses an immediate danger to the student, other students, or school personnel, or an immediate and continuing substantial disruption of the educational process. When such an exclusion occurs, the teacher will initiate a parent-student-teacher contact to discuss the reason(s) for the exclusion and the expected student behavior. Examples of behavior which could result in emergency exclusion include offenses and suggested penalties listed in Range of Penalties.
- H. Upon exclusion of a special education student from the regular classroom, Special Services personnel will be notified.

#### **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 school business days' prior notice, to present a written and/or oral grievance to the Superintendent or designee. If the grievance is not resolved, the parent and student upon two 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 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.

**Range of Penalties (Note: See attached Offenses and Suggested Penalties chart)**

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

The infractions of school discipline listed below 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 or hearing officer. In all instances, discretion of the interpretation is left to the individual principal or hearing officer 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 five 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. Driving privileges revoked for balance of semester
- C. Driving privileges revoked for balance of school year
- D. Police action
- E. Recommended expulsion
- F. Restitution
- G. Drug, marijuana, alcohol scan test with parent consent
- H. Notification of Juvenile Court
- I. Not used
- J. Confiscation (Return to parent)
- K. Suspension from bus for a period up to 180 days
- L. Privileges/access revoked
- M. Emergency expulsion followed by other actions
- N. Work detail after school (1-5 days; specific task assigned)
  - 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

**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:

- 1. Reasons the student wants to return and why the request should be considered;
- 2. Evidence which supports the request; and
- 3. 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 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 3245 - 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 Procedure 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 canine companions, 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.*

Offense Categories	1st Offense (Any or all listed)	2nd Offense (Any or all listed)	3rd Offense (Any or all listed)
<b>Criminal Acts</b>			
1.1 Arson	M,90,D,E	M,90,D,E	M,90,D,E
1.2 Assault/Battery on school personnel (or transferred Assault/Battery)	M,90,D	M,90,D,E	M,90,D,E
1.3 Assault/Battery on students and/or others	90,D,E	90,D,E	90,D,E
1.4 Construction/production of drug paraphernalia or other prohibited items	20,D	90,D	90,D,E
1.5 Dangerous weapons (excluding firearms), use/possession of	90,D,E	90,D,E	90,D,E
** 1.6 Drugs, alcohol, or drug paraphernalia, use/possession of	20,D	90,D	90,D,E
** 1.7 Drugs or alcohol, sale or delivery of	M,90,D,	M,90,D,E	M,90,D,E
** 1.8 Drugs or alcohol, under the influence of	20,D,G	90,D,G	90,D,E,G
1.9 Extortion	15,D	90,D,E	90,D,E,F
1.10 False alarm or false reporting	15,D,F	90,D,F	90,D,E,F
1.11 Firearms, use/possession of	Expulsion,D		
1.12 Fireworks, use/possession of	7,D	10,D	90,D
1.13 Malicious mischief (including discharge of laser)	7,A,D,F,N	15,A,D,F	90,D,F
1.14 Theft/possession of stolen property - more than \$25	15,D,F	90,D,F	90,D,E,F
1.15 Threatening or intimidation of school personnel/others (including bomb threats)	90,D,E	90,D,E	90,D,E
1.16 Threatening or intimidation of students (including bomb threats)	90,D,E	90,D,E	90,D,E
1.17 Use or possession of tobacco products	3,A,D,N	7,A,D,N	15,A,D
2.1 Unauthorized access to written or electronic records or files	7,A,D,L,N	15,D,L,N	90,D,E,L
2.2 Alteration of written or electronic records or files	90,D	90,D,E	90,D,E
2.3 Chronic tardiness to school or class	Refer to specific building policies		
2.4 Defiance	3,N	7,A,N	15,A
2.5 Disruptive behavior	3,A,N	7,A,N	15,A
2.6 Failure to drive safely on school grounds	3,A,B,F,N	7,C,D,F,N	90,C
2.7 Fighting	5,A,N	10,A,N	90,A,D
2.8 Forgery	7,A,N	10,N	90,E
2.9 Harassment/bullying	7,A,N	15,D,N	90,D,E
2.10 Harassment, sexual	7,D	15,D	90,D,E
* 2.11 Intentional failure to follow safety rules established for lab instructional areas	1,A,N	3,N	Refer to specific bldg/ classroom policies
2.12 Intentional misuse of school equipment, including Internet, supplies, or facilities	1,F,L,N	3,F,L,N	7,F,L
2.13 Leaving school grounds without permission	3,A,N	7,N	15
2.14 Misrepresentation, lying, or cheating	7,A,N	10,N	90
2.15 Obstruction	10,A,N	20,A,N	90,A,N
2.16 Profanity	1,A,N	3,A,N	7,A
2.17 Repeated misconduct	3,A,N	7,A,N	15,A
2.18 Theft/possession of stolen property - \$25 or less	5,F,N	7,D,F,N	15,D,F
2.19 Truancy	1,A,H,N	3,H,N	15,H,N
2.20 Use of communication devices such as pagers, cellular phones, etc., during school hours (first bell to last bell)	1,A,J,N	3,J,N	7,J,N
2.21 Unauthorized area	1,L,N	3,L,N	5,L
2.22 Unintentional destruction	A,F,N	A,F,N	A,F,N
2.23 Delivery or sale of legal non-prescription drugs/medicine	1,A,J	3,A,J	7,A,J
2.24 Possession or use of incendiary devices	1,A,N	3,A,N	7,A,N

*The following penalties refer to bus riding privileges and may be imposed independently or in addition to penalties from categories 1 & 2 above.*

3.1 Failure to cooperate with the driver	3	15	90
3.2 Failure to observe safety rules or unsafe conduct	5	15	K
3.3 Unauthorized use or manipulation of safety equipment	5	K	
* Lab areas defined as teaching stations, such as science, physical education, art, career and technical classes, and computer classes.			
** 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.			

A. Detention (Saturday school, or after-school detention)	L. Privileges/access revoked		
B. Driving privileges revoked for balance of semester	M. Emergency expulsion followed by other actions		
C. Driving privileges revoked for balance of school year	N. Work detail after school (1-5 days; specific task assigned)		
D. Police action	1. Suspension - 1 day		
E. Recommended expulsion	3. Suspension - 3 days		
F. Restitution	5. Suspension - 5 days		
G. Drug, marijuana, alcohol scan test with parent consent	7. Suspension - 7 days		
H. Notification to Juvenile Court	10. Suspension - 10 days		
I. Not used	15. Suspension - 15 days		
J. Confiscation (return to parent)	20. Suspension - 20 days		
K. Suspension from bus for a period up to 180 days	90. Suspension - 90 days		

*All suggested penalties are stated in school days.*