
SUBSTITUTE HOUSE BILL 1292

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Education (originally sponsored by Representatives Pelesky, Carrell, McMahan, Huff, Campbell, L. Thomas, Smith, Crouse, Buck, Sherstad, Clements, Hymes, Thompson, Lambert, Mulliken, Padden, Radcliff, Johnson, Hickel, Mielke, Casada and Hargrove)

Read first time 03/01/95.

1 AN ACT Relating to classroom discipline; amending RCW 28A.600.020;
2 adding a new section to chapter 28A.600 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.600.020 and 1990 c 33 s 497 are each amended to
5 read as follows:

6 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
7 interpreted to insure that the optimum learning atmosphere of the
8 classroom is maintained, and that the highest consideration is given to
9 the judgment of qualified certificated educators regarding conditions
10 necessary to maintain the optimum learning atmosphere.

11 (2) Any student who creates a disruption of the educational process
12 in violation of the building disciplinary standards while under a
13 teacher's immediate supervision may be excluded by the teacher from his
14 or her individual classroom and instructional or activity area for all
15 or any portion of the balance of the school day or until the principal
16 or designee, parent, or guardian and teacher have conferred, whichever
17 occurs first(~~(: PROVIDED, That)~~). Except in emergency circumstances,
18 the teacher shall have first attempted one or more alternative forms of
19 corrective action(~~(: PROVIDED FURTHER, That)~~). In no event without

1 the consent of the teacher shall an excluded student be returned during
2 the balance of that class or activity period.

3 (3) In order to maintain an environment conducive to educational
4 excellence and to enhance the ability of all students to learn, school
5 teachers, principals, and superintendents shall have the authority to
6 expel permanently students who engage in consistent disruptive
7 behavior.

8 Permanent expulsion may be imposed for consistent disobedience or
9 disruptive behavior by a student that substantially interferes with the
10 educational process or the ability of a teacher, principal, or
11 superintendent to maintain discipline or provide a quality learning
12 environment.

13 A student with a handicapping condition shall not be expelled for
14 behavior that occurs solely as a result of the student's handicapping
15 condition.

16 Before permanent expulsion, a parent or legal guardian of the
17 student subject to permanent expulsion shall meet with the authorities
18 considering permanent expulsion and shall be given the opportunity to
19 sign a written understanding that the parent or legal guardian and the
20 student will work with school officials in specific ways to eliminate
21 the disruptive behavior, and that the student is on a probationary
22 status and further disruptive behavior may result in permanent
23 expulsion.

24 For violations of this subsection, a teacher may permanently expel
25 a student from his or her individual classroom or instructional or
26 activity area, a school principal may permanently expel a student from
27 the school, and a district superintendent may permanently expel a
28 student from the district. Expulsion shall be in compliance with
29 procedures developed under subsection (4) of this section.

30 (4) In order to preserve a beneficial learning environment for all
31 students and to maintain good order and discipline in each classroom,
32 every school district board of directors shall provide that written
33 procedures are developed for administering discipline at each school
34 within the district. Such procedures shall be developed with the
35 participation of parents and the community, and shall provide that the
36 teacher, principal, or superintendent, or his or her designee, and
37 other authorities designated by the board of directors, make every
38 reasonable attempt to involve the parent or guardian and the student in
39 the resolution of student discipline problems. Such procedures shall

1 provide that students may be excluded from their individual classes or
2 activities for periods of time in excess of that provided in subsection
3 (2) of this section, or permanently, if such students have repeatedly
4 disrupted the learning of other students(~~(:—PROVIDED, That))~~). The
5 procedures ((are)) shall be consistent with the ((regulations)) rules
6 of the state board of education and provide for early involvement of
7 parents in attempts to improve the student's behavior(~~(:—PROVIDED~~
8 ~~FURTHER, That))~~). Pursuant to RCW 28A.400.110, the procedures shall
9 assure that all staff work cooperatively toward consistent enforcement
10 of proper student behavior throughout each school as well as within
11 each classroom.

12 School districts, district superintendents, school principals, and
13 teachers are not liable for civil damages or criminal penalties
14 resulting from the exclusion or permanent expulsion of a student from
15 an individual classroom or instructional or activity area, a school, or
16 a district unless a district superintendent, school principal, or
17 teacher acts with malice as defined in RCW 9A.04.110.

18 NEW SECTION. Sec. 2. A new section is added to chapter 28A.600
19 RCW to read as follows:

20 Effective December 31, 1995, a summary of chapter . . . , Laws of
21 1995 (this act) pertaining to permanent expulsion shall be posted in
22 each public school classroom. The summary shall be prepared by the
23 superintendent of public instruction and distributed to school
24 districts by November 1, 1995.

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