

**WAC 148-120-480 Petition to extend expulsion. (1) Petition.**

When risk to public health or safety warrants extending a student's expulsion, the principal may petition the school's superintendent for authorization to exceed the academic term limitation on an expulsion. The petition must inform the superintendent of:

- (a) The behavioral violation that resulted in the expulsion and the public health or safety concerns;
- (b) The student's academic, attendance, and discipline history;
- (c) Any nonacademic supports and behavioral services the student was offered or received during the expulsion;
- (d) The student's academic progress during the expulsion and the educational services available to the student during the expulsion;
- (e) The proposed length of the expulsion; and
- (f) The student's reengagement plan.

(2) **Time limit.** The principal may petition to extend an expulsion only after the development of a reengagement plan under WAC 148-120-710 and before the end of the expulsion. For violations of WAC 148-120-820, the principal may petition to extend an expulsion at any time.

(3) **Notice.** The school must provide written notice of the petition to the student and parents in person, by mail or by email within one school business day from the date the superintendent received the petition. The written notice must include:

- (a) A copy of the petition;
- (b) The student's and parents' right to an informal conference with the superintendent to be held within five school business days from the date the school provided written notice to the student and parents; and
- (c) The student's and parents' right to respond to the petition orally or in writing to the superintendent within five school business days from the date the school provided written notice.

(4) **Written decision.** The superintendent may grant the petition only if there is substantial evidence that, if the student were to return to the school after the length of an academic term, the student would pose a risk to public health or safety. The superintendent must deliver a written decision to the principal, the student, and the student's parents in person, by mail, or by email within 10 school business days after receiving the petition.

(a) If the petition is granted, the written decision must include:

- (i) The date on which the extended expulsion will end;
- (ii) The reason that, if the student were to return before the initial expulsion end date, the student would pose a risk to public health or safety; and
- (iii) Notice of the student's or parents' right to request review and reconsideration of the appeal decision under subsection (5) of this section, including where and to whom to make the request.

(b) If the petition is not granted, the written decision must identify the date on which the expulsion will end.

(5) **Review and reconsideration.**

(a) **Requesting review.** The student or parents may request that the discipline appeal council review and reconsider the decision to extend the student's expulsion. The student or parents may request the review orally or in writing.

(b) **Time limit.** A request for review should be submitted within 21 calendar days from the date the school provides a written decision under subsection (4) of this section.

(c) **Review procedure.**

(i) The discipline appeal council may request to meet with the student or parents or the principal to hear further arguments and gather additional information.

(ii) The decision of the discipline appeal council may be made only by council members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision under WAC 148-120-465.

(d) **Decision.** The discipline appeal council must provide a written decision to the student and parents in person, by mail, or by email within 10 school business days after receiving the request for review and reconsideration. The written decision must state:

(i) Whether the council affirms, reverses, or modifies the decision to extend the student's expulsion;

(ii) The date on which the extended expulsion will end; and

(iii) A notice that judicial review may be available. A request for review may be deemed to have been denied if the discipline appeal council does not make a disposition of the matter within 20 calendar days after the request is submitted.

(6) **Duration.** Any extension of an expulsion may not exceed the length of an academic term.

(7) **Language assistance.** The school must ensure that any petition proceedings, notices, and decisions are provided in a language the student and parents understand, which may require assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

(8) **Annual reporting.** The school must annually report the number of petitions approved and denied to the office of the superintendent of public instruction.

[Statutory Authority: RCW 34.05.010(16), 72.42.041(2), 72.40.0191(12), 72.40.0191(17), and 28A.600.010 through 28A.600.022. WSR 25-09-037, s 148-120-480, filed 4/9/25, effective 5/10/25.]