

HOUSE BILL REPORT

HB 1292

As Reported By House Committee On:
Education

Title: An act relating to classroom discipline.

Brief Description: Authorizing permanent expulsion for disruptive students.

Sponsors: 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.

Brief History:

Committee Activity:

Education: 2/28/95 [DPS].

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Elliot, Vice Chairman; Johnson, Vice Chairman; Clements; Fuhrman; McMahan; Pelesky; Radcliff; Smith; Talcott; B. Thomas and Thompson.

Minority Report: Do not pass. Signed by 7 members: Representatives Brumsickle, Chairman; Poulsen, Assistant Ranking Minority Member; Dickerson; G. Fisher; Hatfield; Quall and Veloria.

Staff: Robert Butts (786-7111).

Background: Current state law allows a teacher to exclude a student from his or her classroom for the balance of the school day or until the principal and teacher have conferred, whichever occurs first.

Rules adopted by the State Board of Education specify the process that must be used by school districts prior to suspending and expelling students. The process includes providing notice, conducting a conferences with parents, providing the opportunity for a hearing, and actions required for appeals. A separate process is provided for emergency expulsions. Students who are expelled may ask to be readmitted at any time, and may also attend school in another school district.

Summary of Substitute Bill: A student who engages in consistent disruptive behavior may be permanently expelled by:

- a teacher from his or her classroom,
- a school principal from the school, and
- a superintendent from the district.

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

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

Before permanent expulsion, a parent of the student is required to meet with the school official considering expelling the student and be given the opportunity to sign a written understanding that the parent and the student will work with school officials to eliminate the disruptive behavior.

A summary of the act is to be posted in each public school classroom by December 31, 1995.

If a student who is excluded from a classroom is to be readmitted to a classroom before the end of the day, a parent or guardian must also be involved in the conference with the teacher and principal.

Substitute Bill Compared to Original Bill: Provisions were added that requires a summary of the law to be posted in classrooms and a parent to be involved in the conference with the teacher and principal when a student is excluded from a classroom. A reference to performance-based education was removed.

Appropriation: None.

Fiscal Note: Requested on February 21, 1995.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Discipline is a major problem in schools. This bill will send a clear message to students that there are limits to disruptive behavior and that teachers have the authority to effectively deal with disruptions in their classrooms. Schools are about education: they are not day care centers.

Testimony Against: If there were alternative programs for students who are expelled, we could support this bill. Permanent is a long time, especially for elementary school students. The constitution requires that schools provide an ample education for all students.

Testified: Representative Pelesky, prime sponsor; Jean Ameluxen, Superintendent of Public Instruction (opposed); Walter Ball, Association of Washington School Principals (opposed); and Jerry Sheehan, American Civil Liberties Union (opposed).