

# FINAL BILL REPORT

## EHB 2613

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### PARTIAL VETO

C 321 L 96

Synopsis as Enacted

**Brief Description:** Enhancing school disciplinary measures.

**Sponsors:** Representatives Sterk, Crouse, Carrell, Brumsickle, McMahan, Boldt, Honeyford, D. Sommers, Clements, Sherstad, Koster, Fuhrman, Sheahan, Huff, Mulliken and Thompson.

**House Committee on Education**

**Senate Committee on Education**

### **Background:**

Acceptance of Nonresident Students: A student may apply for admission to a public school in a school district in which the student is not a resident. School districts are required to adopt policies that establish rational, fair, and equitable standards for acceptance and rejection of applications for admission from nonresident students and from students receiving home-based instruction. Nonresident students may be rejected if acceptance would impose a financial hardship on the school district.

Student Suspension and Expulsion: The State Board of Education adopts rules and regulations that prescribe the due process rights of students in the public schools. Due process rights include notice, an opportunity to be heard, and the right to an appeal. Informal due process procedures may be used in connection with short-term suspensions if the constitutional interests of the student are adequately protected. Long-term suspensions require stricter due process guarantees. A short-term suspension is defined as a suspension of from one to five consecutive school days.

A school district superintendent or the superintendent's designee may call for an emergency expulsion of a student if there is good and sufficient reason to believe that the student poses an immediate and continuing threat of substantial disruption to the educational process. No procedures for emergency suspensions are provided. A student who commits certain offenses against a teacher (including assault, kidnapping, false imprisonment, and certain crimes against property) is suspended from the classroom and may be suspended by the principal for up to 10 days.

When a long-term suspension or expulsion is appealed, the suspension or expulsion must not be imposed until the appeal is decided. Emergency expulsions may continue

after an initial prehearing if the student poses an immediate and continuing danger or threatens a substantial disruption of the educational process.

Interference by Force or Violence: It is a gross misdemeanor for a person to interfere by force or violence or by threat of force or violence with a teacher, administrator, classified employee, or student.

**Summary:**

Acceptance of Nonresident Students: A nonresident student's application to enter a school in a school district may be rejected if the student's disciplinary record indicates a history of behavior disruptive to the educational process.

Student Suspension and Expulsion: A short-term suspension is defined as a suspension of from one to 10 consecutive school days.

During the appeal of a suspension or expulsion, the school district may impose the suspension or expulsion temporarily, after an initial hearing, for no more than 10 consecutive school days or until the appeal is decided, whichever is shorter. Temporary suspension or expulsion days must be applied as an offset to the term of the suspension or expulsion.

Interference by Force or Violence: A student who interferes by force or violence with a teacher, administrator, classified employee, contract employee, or student is subject to immediate suspension or expulsion.

**Partial Veto Summary:** The Governor vetoed the provision that allows a school district to reject the application of a nonresident student because of that student's disciplinary record.

**Votes on Final Passage:**

House	93	3	
Senate	45	0	(Senate amended)
House	94	0	(House concurred)

**Effective:** June 6, 1996