
HOUSE BILL 2539

State of Washington

56th Legislature

2000 Regular Session

By Representatives McDonald, Bush, Woods, Thomas, Radcliff, Huff, Campbell, Schoesler, Conway and Dunn

Read first time 01/17/2000. Referred to Committee on Education.

1 AN ACT Relating to disruptive students; amending RCW 28A.600.020
2 and 28A.600.460; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that every student
5 deserves to learn in an atmosphere free from the disruptions caused by
6 individual students and that teachers deserve to have more authority
7 over their classrooms. Parents need to know that teachers have the
8 authority to maintain discipline and to maintain a safe classroom
9 environment for every child.

10 Therefore, teachers must be empowered to remove disruptive students
11 from individual classrooms and to bring to a parent's attention the
12 behavior of a continually disruptive student.

13 **Sec. 2.** RCW 28A.600.020 and 1997 c 266 s 11 are each amended to
14 read as follows:

15 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
16 interpreted to insure that the optimum learning atmosphere of the
17 classroom is maintained, and that the highest consideration is given to

1 the judgment of qualified certificated educators regarding conditions
2 necessary to maintain the optimum learning atmosphere.

3 (2) Any student who creates a disruption of the educational process
4 in violation of the building disciplinary standards while under a
5 teacher's immediate supervision may be excluded by the teacher from his
6 or her individual classroom and instructional or activity area for all
7 or any portion of the balance of the school day, or up to the following
8 two days(~~(, or until the principal or designee and teacher have~~
9 ~~conferred, whichever occurs first. Except in emergency circumstances,~~
10 ~~the teacher first must attempt one or more alternative forms of~~
11 ~~corrective action)).~~ In no event without the consent of the teacher
12 may an excluded student return to the class during the balance of that
13 class or activity period or up to the following two days(~~(, or until~~
14 ~~the principal or his or her designee and the teacher have conferred)).~~
15 Prior to returning a student to a classroom, the school shall comply
16 with a request by the student's teacher for a conference with the
17 principal or his or her designee and the student's parent or guardian
18 in order to determine the most appropriate action to take in regard to
19 providing the best learning environment for the disruptive student and
20 for the students remaining in the classroom. The teacher may also
21 require the parent or guardian, principal, and teacher to agree to a
22 corrective plan of action for the student before the student is
23 returned to the classroom.

24 (3) In order to preserve a beneficial learning environment for all
25 students and to maintain good order and discipline in each classroom,
26 every school district board of directors shall provide that written
27 procedures are developed for administering discipline at each school
28 within the district. Such procedures shall be developed with the
29 participation of parents and the community, and shall provide that the
30 teacher, principal or designee, and other authorities designated by the
31 board of directors, make every reasonable attempt to involve the parent
32 or guardian and the student in the resolution of student discipline
33 problems. Such procedures shall provide that students may be excluded
34 from their individual classes or activities for periods of time in
35 excess of that provided in subsection (2) of this section or that such
36 students may be placed in alternative learning environments for the
37 benefit of the individual student and those remaining in the classroom
38 if such students have repeatedly disrupted the learning of other
39 students. The procedures must be consistent with the rules of the

1 state board of education and must provide for early involvement of
2 parents in attempts to improve the student's behavior.

3 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that
4 all staff work cooperatively toward consistent enforcement of proper
5 student behavior throughout each school as well as within each
6 classroom.

7 (5) A principal shall consider imposing long-term suspension or
8 expulsion as a sanction when deciding the appropriate disciplinary
9 action for a student who, after July 27, 1997:

10 (a) Engages in two or more violations within a three-year period of
11 RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020,
12 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

13 (b) Engages in one or more of the offenses listed in RCW 13.04.155.

14 The principal shall communicate the disciplinary action taken by
15 the principal to the school personnel who referred the student to the
16 principal for disciplinary action.

17 **Sec. 3.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to
18 read as follows:

19 (1) School district boards of directors shall adopt policies that
20 restore discipline to the classroom. Such policies must provide for at
21 least the following: Allowing each teacher to take disciplinary action
22 to correct a student who disrupts normal classroom activities, abuses
23 or insults a teacher as prohibited by RCW 28A.635.010, willfully
24 disobeys a teacher, uses abusive or foul language directed at a school
25 district employee, school volunteer, or another student, violates
26 school rules, or who interferes with an orderly education process.
27 Disciplinary action may include but is not limited to: Oral or written
28 reprimands; written notification to parents of disruptive behavior, a
29 copy of which must be provided to the principal; exclusion of the
30 student by the teacher from his or her individual classroom and
31 instructional or activity area for all or any portion of the balance of
32 the school day, or up to the following two days. Prior to returning a
33 student to a classroom, the school shall comply with a request by the
34 student's teacher for a conference with the principal or his or her
35 designee and the student's parent or guardian in order to determine the
36 most appropriate action to take in regard to providing the best
37 learning environment for the disruptive student and for the students
38 remaining in the classroom. The teacher may also require the parent or

1 guardian, principal, and teacher to agree to a corrective plan of
2 action for the student before the student is returned to the classroom.

3 (2) A student committing an offense under chapter 9A.36, 9A.40,
4 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
5 shall not be assigned to that teacher's classroom for the duration of
6 the student's attendance at that school or any other school where the
7 teacher is assigned.

8 (3) A student who commits an offense under chapter 9A.36, 9A.40,
9 9A.46, or 9A.48 RCW, when directed toward another student, may be
10 removed from the classroom of the victim for the duration of the
11 student's attendance at that school or any other school where the
12 victim is enrolled. A student who commits an offense under one of the
13 chapters enumerated in this section against a student or another school
14 employee, may be expelled or suspended.

15 (4) Nothing in this section is intended to limit the authority of
16 a school under existing law and rules to expel or suspend a student for
17 misconduct or criminal behavior.

18 (5) All school districts must collect data on disciplinary actions
19 taken in each school. The information shall be made available to the
20 public upon request. This collection of data shall not include
21 personally identifiable information including, but not limited to, a
22 student's social security number, name, or address.

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