

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2613

Chapter 321, Laws of 1996

(partial veto)

54th Legislature
1996 Regular Session

SCHOOL DISCIPLINE

EFFECTIVE DATE: 6/6/96

Passed by the House March 4, 1996
Yeas 94 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate March 1, 1996
Yeas 45 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 30, 1996, with the
exception of section 1, which is
vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of
the House of Representatives of the
State of Washington, do hereby certify
that the attached is **ENGROSSED HOUSE
BILL 2613** as passed by the House of
Representatives and the Senate on the
dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

March 30, 1996 - 11:35 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2613

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

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

Read first time 01/15/96. Referred to Committee on Education.

1 AN ACT Relating to school discipline; and amending RCW 28A.225.225,
2 28A.305.160, and 28A.635.090.

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

4 **Sec. 1. RCW 28A.225.225 and 1995 c 52 s 3 are each amended to*
5 *read as follows:*

6 *(1) All districts accepting applications from nonresident students*
7 *or from students receiving home-based instruction for admission to the*
8 *district's schools shall consider equally all applications received.*
9 *Each school district shall adopt a policy establishing rational, fair,*
10 *and equitable standards for acceptance and rejection of applications*
11 *((by June 30, 1990)). The policy may include rejection of nonresident*
12 *students if acceptance of these students would result in the district*
13 *experiencing a financial hardship, or if the nonresident student's*
14 *disciplinary record indicates a history of behavior that has been*
15 *disruptive to the educational process.*

16 *(2) The district shall provide to applicants written notification*
17 *of the approval or denial of the application in a timely manner. If*
18 *the application is rejected, the notification shall include the reason*
19 *or reasons for denial and the right to appeal under RCW 28A.225.230(3).*

1 *Sec. 1 was vetoed. See message at end of chapter.

2 **Sec. 2.** RCW 28A.305.160 and 1975-'76 2nd ex.s. c 97 s 1 are each
3 amended to read as follows:

4 (1) The state board of education shall adopt and distribute to all
5 school districts lawful and reasonable rules (~~and regulations~~)
6 prescribing the substantive and procedural due process guarantees of
7 pupils in the common schools. Such rules (~~and regulations~~) shall
8 authorize a school district to use informal due process procedures in
9 connection with the short-term suspension of students to the extent
10 constitutionally permissible: PROVIDED, That the state board deems the
11 interest of students to be adequately protected. When a student
12 suspension or expulsion is appealed, the rules shall authorize a school
13 district to impose the suspension or expulsion temporarily after an
14 initial hearing for no more than ten consecutive school days or until
15 the appeal is decided, whichever is earlier. Any days that the student
16 is temporarily suspended or expelled before the appeal is decided shall
17 be applied to the term of the student suspension or expulsion and shall
18 not limit or extend the term of the student suspension or expulsion.

19 (2) Short-term suspension procedures may be used for suspensions of
20 students up to and including, ten consecutive school days.

21 **Sec. 3.** RCW 28A.635.090 and 1990 c 33 s 540 are each amended to
22 read as follows:

23 It shall be unlawful for any person, singly or in concert with
24 others, to interfere by force or violence with any administrator,
25 teacher, classified employee, person under contract with the school or
26 school district, or student of any common school who is in the peaceful
27 discharge or conduct of his or her duties or studies. Any such
28 interference by force or violence committed by a student shall be
29 grounds for immediate suspension or expulsion of the student.

Passed the House March 4, 1996.

Passed the Senate March 1, 1996.

Approved by the Governor March 30, 1996, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 30, 1996.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 1,
3 Engrossed House Bill No. 2613 entitled:

4 "AN ACT Relating to school discipline;"

5 Engrossed House Bill No. 2613 specifies that use of force or
6 violence against school personnel is grounds for a student's immediate
7 suspension or expulsion and allows school districts to impose a
8 temporary suspension or expulsion for up to ten days pending an appeal.

9 Section 1 of Engrossed House Bill No. 2613 contains a provision
10 that would allow school districts to deny an application for admission
11 from a nonresident student if the student's disciplinary record
12 indicates a history of behavior that has been disruptive to the
13 educational process.

14 I understand that several school districts are seeking this
15 authority because they have been unable, in the past, to deny admission
16 to nonresident students with long histories of serious disciplinary
17 problems. While I appreciate the frustration of these districts in
18 such cases, I am concerned that this broadly-worded provision would
19 authorize school districts across the state to deny admission to
20 nonresident students with any kind of disciplinary record. Such
21 authority is clearly inappropriate and inconsistent with the
22 responsibility of our public school system to provide educational
23 services for all our children. A more targeted approach is necessary
24 to address the concerns raised by these school districts.

25 For these reasons, I have vetoed section 1 of Engrossed House Bill
26 No. 2613.

27 With the exception of section 1, Engrossed House Bill No. 2613 is
28 approved."