

**E2SSB 5244** - H COMM AMD  
By Committee on Education

**NOT CONSIDERED**

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION.   **Sec. 1.** A new section is added to chapter 28A.600  
4 RCW to read as follows:

5       (1) The office of the superintendent of public instruction shall  
6 convene a discipline task force to develop standard definitions for  
7 causes of student disciplinary actions taken at the discretion of the  
8 school district. The task force must also develop data collection  
9 standards for disciplinary actions that are discretionary and for  
10 disciplinary actions that result in the exclusion of a student from  
11 school. The data collection standards must include data about  
12 education services provided while a student is subject to a  
13 disciplinary action, the status of petitions for readmission to the  
14 school district when a student has been excluded from school, credit  
15 retrieval during a period of exclusion, and school dropout as a result  
16 of disciplinary action.

17       (2) The discipline task force shall include representatives from  
18 the K-12 data governance group, the educational opportunity gap  
19 oversight and accountability committee, the state ethnic commissions,  
20 the governor's office of Indian affairs, the office of the education  
21 ombudsman, school districts, and other education and advocacy  
22 organizations.

23       (3) The office of the superintendent of public instruction and the  
24 K-12 data governance group shall revise the statewide student data  
25 system to incorporate the student discipline data collection standards  
26 recommended by the discipline task force, and begin collecting data  
27 based on the revised standards in the 2015-16 school year.

28       **Sec. 2.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended to  
29 read as follows:

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

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

22 (3) Emergency expulsions must end or be converted to another form  
23 of corrective action within ten school days from the date of the  
24 emergency removal from school. Notice and due process rights must be  
25 provided to students when an emergency expulsion is converted to  
26 another form of corrective action.

27 (4) A school district may not impose a disciplinary action that  
28 results in the suspension of educational services to a student. A  
29 student may be excluded from a particular classroom or instructional or  
30 activity area for the period of suspension, but the school district  
31 must provide an opportunity for the student to receive educational  
32 services in an alternative manner, which may include services provided  
33 through an alternative program, at an alternative school, or at an  
34 alternative location within the student's regular school.

35 **Sec. 3.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to  
36 read as follows:

37 (1) The rules adopted pursuant to RCW 28A.600.010 shall be

1 interpreted to ensure that the optimum learning atmosphere of the  
2 classroom is maintained, and that the highest consideration is given to  
3 the judgment of qualified certificated educators regarding conditions  
4 necessary to maintain the optimum learning atmosphere.

5 (2) Any student who creates a disruption of the educational process  
6 in violation of the building disciplinary standards while under a  
7 teacher's immediate supervision may be excluded by the teacher from his  
8 or her individual classroom and instructional or activity area for all  
9 or any portion of the balance of the school day, or up to the following  
10 two days, or until the principal or designee and teacher have  
11 conferred, whichever occurs first. Except in emergency circumstances,  
12 the teacher first must attempt one or more alternative forms of  
13 corrective action. In no event without the consent of the teacher may  
14 an excluded student return to the class during the balance of that  
15 class or activity period or up to the following two days, or until the  
16 principal or his or her designee and the teacher have conferred.

17 (3) In order to preserve a beneficial learning environment for all  
18 students and to maintain good order and discipline in each classroom,  
19 every school district board of directors shall provide that written  
20 procedures are developed for administering discipline at each school  
21 within the district. Such procedures shall be developed with the  
22 participation of (~~parents~~) families and the community, and shall  
23 provide that the teacher, principal or designee, and other authorities  
24 designated by the board of directors, make every reasonable attempt to  
25 involve the (~~parent~~) family or guardian and the student in the  
26 resolution of student discipline problems. Such procedures shall  
27 provide that students may be excluded from their individual classes or  
28 activities for periods of time in excess of that provided in subsection  
29 (2) of this section if such students have repeatedly disrupted the  
30 learning of other students. The procedures must be consistent with the  
31 rules of the superintendent of public instruction and must provide for  
32 early involvement of (~~parents~~) families in attempts to improve the  
33 student's behavior.

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

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

4 (~~(a)~~) (i) Engages in two or more violations within a three-year  
5 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,  
6 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~, or 28A.320.140~~);  
7 or

8 (~~(b)~~) (ii) Engages in one or more of the offenses listed in RCW  
9 13.04.155.

10 (b) The principal shall communicate the disciplinary action taken  
11 by the principal to the school personnel who referred the student to  
12 the principal for disciplinary action.

13 (6) Any corrective action involving a suspension or expulsion from  
14 school for more than ten days must have an end date no later than the  
15 end of the academic term in which the student exhibited behavior  
16 leading to a corrective action. In consultation with families and  
17 guardians of students subject to corrective action, school districts  
18 shall make reasonable efforts to assist students in returning to an  
19 educational setting prior to and no later than the end date of the  
20 corrective action. Where warranted based on public health or safety,  
21 a school district may petition the superintendent of public  
22 instruction, pursuant to policies and procedures adopted by the  
23 superintendent of public instruction, for authorization to exceed the  
24 academic term limitation provided in this subsection. The  
25 superintendent of public instruction shall adopt rules outlining the  
26 limited circumstances in which a school district may petition the  
27 superintendent of public instruction to exceed the academic term  
28 limitation, including safeguards to ensure that the district has made  
29 every effort to plan for the student's return to school and that the  
30 student's extended expulsion from the district does not impair the  
31 student's constitutional right to education. In adopting rules and  
32 reviewing petitions to exceed the academic term limitation, the  
33 superintendent of public instruction must assure that students receive  
34 educational services while serving a suspension or expulsion. A  
35 petition to exceed the academic term limitation shall not be granted by  
36 the superintendent of public instruction if a school district does not  
37 provide educational services to a student serving a suspension or  
38 expulsion.

1        (7) As provided in RCW 28A.600.015, a school district may not  
2 impose disciplinary action that results in the suspension of  
3 educational services to a student.

4        **Sec. 4.** RCW 28A.600.410 and 1992 c 155 s 1 are each amended to  
5 read as follows:

6        It is the intent of the legislature to minimize the use of out-of-  
7 school suspension and expulsion and its impact on student achievement  
8 by reducing the number of days that students are excluded from school  
9 due to disciplinary action. Student discipline should not impair a  
10 student's constitutional right to education.

11        School districts are encouraged to find alternatives to suspension  
12 including reducing the length of a student's suspension conditioned by  
13 the commencement of counseling or other treatment services. Consistent  
14 with current law, the conditioning of a student's suspension does not  
15 obligate the school district to pay for the counseling or other  
16 treatment services except for those stipulated and agreed to by the  
17 district at the inception of the suspension.

18        **Sec. 5.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to  
19 read as follows:

20        (1) School district boards of directors shall adopt policies that  
21 restore discipline to the classroom. Such policies must provide for at  
22 least the following: Allowing each teacher to take disciplinary action  
23 to correct a student who disrupts normal classroom activities, abuses  
24 or insults a teacher as prohibited by RCW 28A.635.010, willfully  
25 disobeys a teacher, uses abusive or foul language directed at a school  
26 district employee, school volunteer, or another student, violates  
27 school rules, or who interferes with an orderly education process.  
28 Disciplinary action may include but is not limited to: Oral or written  
29 reprimands; written notification to parents of disruptive behavior, a  
30 copy of which must be provided to the principal.

31        (2) A student committing an offense under chapter 9A.36, 9A.40,  
32 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,  
33 shall not be assigned to that teacher's classroom for the duration of  
34 the student's attendance at that school or any other school where the  
35 teacher is assigned.

1 (3) A student who commits an offense under chapter 9A.36, 9A.40,  
2 9A.46, or 9A.48 RCW, when directed toward another student, may be  
3 removed from the classroom of the victim for the duration of the  
4 student's attendance at that school or any other school where the  
5 victim is enrolled. A student who commits an offense under one of the  
6 chapters enumerated in this section against a student or another school  
7 employee, may be expelled or suspended.

8 (4) Nothing in this section is intended to limit the authority of  
9 a school under existing law and rules to expel or suspend a student for  
10 misconduct or criminal behavior. However, as provided in RCW  
11 28A.600.015, a school district may not impose disciplinary action that  
12 results in the suspension of educational services to a student.

13 (5) All school districts must collect data on disciplinary actions  
14 taken in each school and must record such actions using the statewide  
15 student data system, based on the data collection standards established  
16 by the office of the superintendent of public instruction and the K-12  
17 data governance group. The information shall be made available to the  
18 public upon request(~~(. This collection of)~~), but any public release of  
19 such data shall not include personally identifiable information  
20 including, but not limited to, a student's social security number,  
21 name, or address.

22 **Sec. 6.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to  
23 read as follows:

24 (1) An education data center shall be established in the office of  
25 financial management. The education data center shall jointly, with  
26 the legislative evaluation and accountability program committee,  
27 conduct collaborative analyses of early learning, K-12, and higher  
28 education programs and education issues across the P-20 system, which  
29 includes the department of early learning, the superintendent of public  
30 instruction, the professional educator standards board, the state board  
31 of education, the state board for community and technical colleges, the  
32 workforce training and education coordinating board, the student  
33 achievement council, public and private nonprofit four-year  
34 institutions of higher education, and the employment security  
35 department. The education data center shall conduct collaborative  
36 analyses under this section with the legislative evaluation and  
37 accountability program committee and provide data electronically to the

1 legislative evaluation and accountability program committee, to the  
2 extent permitted by state and federal confidentiality requirements.  
3 The education data center shall be considered an authorized  
4 representative of the state educational agencies in this section under  
5 applicable federal and state statutes for purposes of accessing and  
6 compiling student record data for research purposes.

7 (2) The education data center shall:

8 (a) In consultation with the legislative evaluation and  
9 accountability program committee and the agencies and organizations  
10 participating in the education data center, identify the critical  
11 research and policy questions that are intended to be addressed by the  
12 education data center and the data needed to address the questions;

13 (b) Coordinate with other state education agencies to compile and  
14 analyze education data, including data on student demographics that is  
15 disaggregated by distinct ethnic categories within racial subgroups,  
16 and complete P-20 research projects;

17 (c) Collaborate with the legislative evaluation and accountability  
18 program committee and the education and fiscal committees of the  
19 legislature in identifying the data to be compiled and analyzed to  
20 ensure that legislative interests are served;

21 (d) Annually provide to the K-12 data governance group a list of  
22 data elements and data quality improvements that are necessary to  
23 answer the research and policy questions identified by the education  
24 data center and have been identified by the legislative committees in  
25 (c) of this subsection. Within three months of receiving the list, the  
26 K-12 data governance group shall develop and transmit to the education  
27 data center a feasibility analysis of obtaining or improving the data,  
28 including the steps required, estimated time frame, and the financial  
29 and other resources that would be required. Based on the analysis, the  
30 education data center shall submit, if necessary, a recommendation to  
31 the legislature regarding any statutory changes or resources that would  
32 be needed to collect or improve the data;

33 (e) Monitor and evaluate the education data collection systems of  
34 the organizations and agencies represented in the education data center  
35 ensuring that data systems are flexible, able to adapt to evolving  
36 needs for information, and to the extent feasible and necessary,  
37 include data that are needed to conduct the analyses and provide

1 answers to the research and policy questions identified in (a) of this  
2 subsection;

3 (f) Track enrollment and outcomes through the public centralized  
4 higher education enrollment system;

5 (g) Assist other state educational agencies' collaborative efforts  
6 to develop a long-range enrollment plan for higher education including  
7 estimates to meet demographic and workforce needs;

8 (h) Provide research that focuses on student transitions within and  
9 among the early learning, K-12, and higher education sectors in the P-  
10 20 system; (~~and~~)

11 (i) Prepare a regular report on the educational and workforce  
12 outcomes of youth in the juvenile justice system, using data  
13 disaggregated according to RCW 28A.300.042, and by age; and

14 (j) Make recommendations to the legislature as necessary to help  
15 ensure the goals and objectives of this section and RCW 28A.655.210 and  
16 28A.300.507 are met.

17 (3) The department of early learning, superintendent of public  
18 instruction, professional educator standards board, state board of  
19 education, state board for community and technical colleges, workforce  
20 training and education coordinating board, student achievement council,  
21 public four-year institutions of higher education, department of social  
22 and health services, and employment security department shall work with  
23 the education data center to develop data-sharing and research  
24 agreements, consistent with applicable security and confidentiality  
25 requirements, to facilitate the work of the center. The education data  
26 center shall also develop data-sharing and research agreements with the  
27 administrative office of the courts to conduct research on educational  
28 and workforce outcomes using data maintained under RCW 13.50.010(11)  
29 related to juveniles. Private, nonprofit institutions of higher  
30 education that provide programs of education beyond the high school  
31 level leading at least to the baccalaureate degree and are accredited  
32 by the Northwest association of schools and colleges or their peer  
33 accreditation bodies may also develop data-sharing and research  
34 agreements with the education data center, consistent with applicable  
35 security and confidentiality requirements. The education data center  
36 shall make data from collaborative analyses available to the education  
37 agencies and institutions that contribute data to the education data



1 center to the extent allowed by federal and state security and  
2 confidentiality requirements applicable to the data of each  
3 contributing agency or institution.

4 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.600  
5 RCW to read as follows:

6 (1) School districts should make efforts to have suspended or  
7 expelled students return to the educational setting they were suspended  
8 or expelled from as soon as possible. School districts should convene  
9 a school reenrollment meeting with the student and the student's family  
10 or guardians within twenty days of the student's long-term suspension  
11 or expulsion, but no later than five days before the student's  
12 enrollment, to discuss a plan to reenroll and reengage the student in  
13 a school program.

14 (2) In developing a reenrollment and reengagement plan, school  
15 districts should consider shortening the length of time that the  
16 student is suspended or expelled, other forms of corrective action, and  
17 supportive interventions that aid in the student's academic success and  
18 keep the student engaged and on track to graduate. School districts  
19 must create a reenrollment and reengagement plan tailored to the  
20 student's individual circumstances, including consideration of the  
21 incident that led to the student's long-term suspension or expulsion.  
22 The plan should aid the student in taking the necessary steps to remedy  
23 the situation that led to the student's suspension or expulsion.

24 (3) Any reenrollment meetings conducted by the school district  
25 involving the suspended or expelled student and his or her family or  
26 guardians are not intended to replace a petition for readmission.

27 NEW SECTION. **Sec. 8.** Nothing in chapter . . . , Laws of 2013 (this  
28 act) prevents a public school district, law enforcement agencies, or  
29 law enforcement personnel from enforcing laws protecting health and  
30 human safety."

31 Correct the title.

EFFECT: Makes the following changes to the underlying bill:

Replaces the data collection elements of the bill with the creation of a discipline task force that must develop standard definitions of student disciplinary actions and requires OSPI and the K-12 Data Governance Group to revise the statewide data system to incorporate student discipline data collection standards recommended by the task force and begin collecting that data in the 2015-16 school year.

Prohibits school districts from suspending the provision of educational services to a student as a disciplinary measure or imposing a disciplinary action that results in the suspension of educational services.

Requires that school districts provide an opportunity for a student to receive educational services in an alternative manner.

Replaces the one year limitation for corrective actions with a requirement that corrective actions have an end date no later than the end of the academic term in which the student exhibited the behavior leading to a corrective action.

Modifies the authority for OSPI to grant exemptions beyond the academic term limitation to require OSPI to adopt rules outlining the limited circumstances in which it will grant exemptions and assuring that students receive educational services.

Prohibits OSPI from granting exemptions to the corrective action end date requirement unless school districts provided educational services during the suspension or expulsion.

Replaces the term "reentry" with the term "reenrollment" when referring to plans and meetings between students serving corrective action, parents or guardians, and school districts.

Removes the requirement that WSSDA develop a model policy for school districts to implement changes to suspension and expulsion policies.

Modifies the requirement that principals must consider long-term suspension after students engage in certain behavior to provide that principals may consider long-term suspensions in those circumstances.

Removes dress and grooming code violations from the list of laws which principals may consider imposing a long-term suspension for if a student violates two or more times in a three year period.

Replaces the term parents with the term family or families as individuals that schools will involve to plan for student reenrollment with school programs.

Adds to the duties of the Education Data Center a requirement that they prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system, using disaggregated data and also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes of the same youth.

Specifies that school reenrollment meetings should occur no later than five days prior to a student's reenrollment.

--- END ---