

**SHB 1296** - H AMD TO H AMD (H-1828.2/25) **369**

By Representative Stuebe

**NOT ADOPTED 03/12/2025**

1 On page 5, after line 22 of the striking amendment, insert the  
2 following:

3 "Sec. 104. RCW 28A.600.015 and 2023 c 242 s 9 are each amended  
4 to read as follows:

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

22 (2) Short-term suspension procedures may be used for suspensions  
23 of students up to and including, 10 consecutive school days.

24 (3) Emergency removals must end or be converted to another form  
25 of corrective action within (~~ten~~) 10 school days from the date of  
26 the emergency removal from school. Notice and due process rights  
27

1 must be provided when an emergency removal is converted to another  
2 form of corrective action.

3 (4) School districts may not impose long-term suspension or  
4 expulsion as a form of discretionary discipline.

5 (5) Any imposition of discretionary and nondiscretionary  
6 discipline is subject to the bar on suspending the provision of  
7 educational services pursuant to subsection (8) of this section.

8 (6) As used in this chapter, "discretionary discipline" means a  
9 disciplinary action taken by a school district for student behavior  
10 that violates rules of student conduct adopted by a school district  
11 board of directors under RCW 28A.600.010 and this section, but does  
12 not constitute action taken in response to any of the following:

13 (a) A violation of RCW 28A.600.420;

14 (b) An offense in RCW 13.04.155;

15 (c) Two or more violations of RCW 9A.46.120, 9.41.280, 28A.  
16 600.455, 28A.635.020, or 28A.635.060 within a three-year period;  
17 (~~or~~)

18 (d) Behavior that adversely impacts the health or safety of  
19 other students or educational staff; or

20 (e) Behavior that diminishes or impedes the educational  
21 opportunity of another student.

22 (7) Except as provided in RCW 28A.600.420, school districts are  
23 not required to impose long-term suspension or expulsion for  
24 behavior that constitutes a violation or offense listed under  
25 subsection (6)(a) through (~~(d)~~)(e) of this section and should  
26 first consider alternative actions.

27 (8) School districts may not suspend the provision of  
28 educational services to a student as a disciplinary action. A  
29 student may be excluded from a particular classroom or instructional  
30 or activity area for the period of suspension or expulsion, but the  
31 school district must provide an opportunity for a student to receive  
32 educational services during a period of suspension or expulsion.

33 (9) Nothing in this section creates any civil liability for  
34 school districts, or creates a new cause of action or new theory of

1 negligence against a school district board of directors, a school  
2 district, or the state.

3

4 **Sec. 105.** RCW 28A.600.020 and 2019 c 266 s 22 are each amended  
5 to read as follows:

6 (1) The rules adopted pursuant to RCW 28A.600.010 shall be  
7 interpreted to ensure that the optimum learning atmosphere of the  
8 classroom is maintained, and that the highest consideration is given  
9 to the judgment of qualified certificated educators regarding  
10 conditions necessary to maintain the optimum learning atmosphere.

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

25 (3) In order to preserve a beneficial learning environment for  
26 all students and to maintain good order and discipline in each  
27 classroom, every school district board of directors shall provide  
28 that written procedures are developed for administering discipline  
29 at each school within the district. Such procedures shall be  
30 developed with the participation of parents and the community, and  
31 shall provide that the teacher, principal or designee, and other  
32 authorities designated by the board of directors, make every  
33 reasonable attempt to involve the parent or guardian and the student  
34 in the resolution of student discipline problems. Such procedures

1 shall provide that students may be excluded from their individual  
2 classes or activities for periods of time in excess of that provided  
3 in subsection (2) of this section if such students have repeatedly  
4 disrupted the learning of other students. The procedures must be  
5 consistent with the rules of the superintendent of public  
6 instruction and must provide for early involvement of parents in  
7 attempts to improve the student's behavior.

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

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

15 (i) Engages in two or more violations within a three-year period  
16 of RCW 9A.46.120, 28A.600.455, 28A.600.460, 28A.635.020, 28A.  
17 600.020, 28A.635.060, or 9.41.280; (~~or~~)

18 (ii) Engages in one or more of the offenses listed in RCW  
19 13.04.155; or

20 (iii) Repeatedly engages in behavior that diminishes or impedes  
21 the educational opportunity of another student.

22 (b) The principal shall communicate the disciplinary action  
23 taken by the principal to the school personnel who referred the  
24 student to the principal for disciplinary action.

25 (6) Any corrective action involving a suspension or expulsion  
26 from school for more than (~~ten~~) ten days must have an end date of  
27 not more than the length of an academic term, as defined by the  
28 school board, from the time of corrective action. Districts shall  
29 make reasonable efforts to assist students and parents in returning  
30 to an educational setting prior to and no later than the end date of  
31 the corrective action. Where warranted based on public health or  
32 safety, a school may petition the superintendent of the school  
33 district, pursuant to policies and procedures adopted by the office  
34 of the superintendent of public instruction, for authorization to

1 exceed the academic term limitation provided in this subsection. The  
2 superintendent of public instruction shall adopt rules outlining the  
3 limited circumstances in which a school may petition to exceed the  
4 academic term limitation, including safeguards to ensure that the  
5 school district has made every effort to plan for the student's  
6 return to school. School districts shall report to the office of the  
7 superintendent of public instruction the number of petitions made to  
8 the school board and the number of petitions granted on an annual  
9 basis.

10 (7) Nothing in this section prevents a public school district,  
11 educational service district, the Washington center for deaf and  
12 hard of hearing youth, or the state school for the blind if it has  
13 suspended or expelled a student from the student's regular school  
14 setting from providing educational services to the student in an  
15 alternative setting or modifying the suspension or expulsion on a  
16 case-by-case basis. An alternative setting should be comparable,  
17 equitable, and appropriate to the regular education services a  
18 student would have received without the exclusionary discipline.  
19 Example alternative settings include alternative high schools, one-  
20 on-one tutoring, and online learning.

21

22 **Sec. 106.** RCW 28A.600.460 and 2013 2nd sp.s. c 18 s 305 are  
23 each amended to read as follows:

24 (1) School district boards of directors shall adopt policies  
25 that restore discipline to the classroom. Such policies must provide  
26 for at least the following: Allowing each teacher to take  
27 disciplinary action to correct a student who disrupts normal  
28 classroom activities, abuses or insults a teacher as prohibited by  
29 RCW 28A.635.010, willfully disobeys a teacher, uses abusive or foul  
30 language directed at a school district employee, school volunteer,  
31 or another student, violates school rules, or who interferes with an  
32 orderly education process. Disciplinary action may include but is  
33 not limited to: Oral or written reprimands; classroom exclusion as  
34 described in RCW 28A600.020; written notification to parents of

1 disruptive behavior, a copy of which must be provided to the  
2 principal.

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  
5 teacher, shall not be assigned to that teacher's classroom for the  
6 duration of the student's attendance at that school or any other  
7 school where the 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  
13 the chapters enumerated in this section against a student or another  
14 school employee, may be expelled or suspended.

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

18 (5) All school districts must collect data on disciplinary actions  
19 taken in each school and must record these actions using the statewide  
20 student data system, based on the data collection standards  
21 established by the office of the superintendent of public instruction  
22 and the K-12 data governance group. The information shall be made  
23 available to the public, but public release of the data shall not  
24 include personally identifiable information including, but not limited  
25 to, a student's social security number, name, or address."

EFFECT: Directs principals to consider imposing long-term  
suspension or expulsion on a student who repeatedly engages behavior  
that diminishes or impedes the educational opportunity of another  
student.

Requires a principal and teacher to confer before allowing a student  
who has disrupted the educational process to return to the teacher's  
classroom or activity area, even if two days have passed since the  
disruption (rather than allowing the student to return to the  
classroom after two days or the principal-teacher conference,  
whichever occurs first).

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