

OLYMPIC ESD 114 ADMINISTRATIVE PROCEDURE

STUDENT CONDUCT

3240P

Olympic Educational Service District 114 (OESD) reserves the right to discipline students subject to its authority, but levels of discipline greater than initial discipline actions shall be referred to the student's "home district" and shall be subject to their student discipline policies and procedures.

The following actions include, but are not limited to, the types of offenses that are not allowed by OESD and may be subject to discipline by OESD and/or the student's "home district":

Substantial Disruption of School

A student shall not intentionally cause the substantial and material disruption of any school operations including but not limited to the following:

1. Occupying the OESD building, school building or school grounds in order to deprive others of its use;
2. Blocking the entrance or exit of the OESD or any school building or room in order to deprive others of passing through;
3. Setting fire to or substantially damaging OESD or school property;
4. Using, or threatening to use, firearms, explosives or other weapons on OESD or school premises;
5. Preventing students from attending a class or OESD/school activity;
6. Blocking normal pedestrian or vehicular traffic on OESD/school premises;
7. Interfering seriously with the conduct of any OESD/school class or activity;
8. Offensive social behavior that is an infraction of acceptable social actions, including displays of affection, that is disruptive to the educational process; and
9. Failure to comply with reasonable requests of OESD and/or school district personnel

Damage or Theft of Property

A student shall not intentionally or with gross carelessness damage OESD/school or private property. Where OESD/school property is damaged or stolen, the superintendent shall seek restitution from the student or his/her parent or legal guardian as permitted by law.

Extortion, Assault or Causing Physical Injury

A student shall not extort anything of value, threaten or attempt to cause physical injury or intentionally behave in such a way as could reasonably be expected to cause physical injury to any person:

1. On OESD/school grounds during and immediately before or immediately after school hours;
2. On OESD/school grounds any time when the school is being used by a school group;
3. Off the OESD/school grounds at an OESD/school activity, function or event; or
4. Off the OESD/school grounds when the prohibited behavior is a consequence of or directly related to causes or events which occurred or originated on the OESD/school grounds.

Weapons and Dangerous Instruments

A student shall not possess or transmit any object that can reasonably be considered a weapon:

1. On the OESD/school grounds during and immediately before or after school hours;
2. On the OESD/school grounds at any other time when the school is being used by a school group; or
3. Off the OESD/school grounds at any school activity, function or event or while in route between home and OESD/school.

Narcotics, Alcoholic Beverages and Stimulant Drugs

A student shall not knowingly possess, use, transmit, be under the influence of, or show evidence of having used any narcotic drug or hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant or any kind;

1. On OESD and/or schoolgrounds during and immediately before or after OESD/school hours;
2. On the OESD and/or schoolgrounds at any other time when the school is being used by any school group; or
3. Off the OESD and/or school grounds at a school activity, function or event.

Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule.

Use of Tobacco, Nicotine Products and Delivery Devices

OESD does not allow the use of tobacco, nicotine products and delivery devices by students on or about OESD and/or school grounds. Students at each location shall be made aware of rules and regulations pertaining to use of tobacco products on agency premises.

Repeated Misconduct

A student shall not repeatedly fail to comply with OESD/school district policies or rules or with the directions of OESD staff during any period of time when he/she is properly under the authority of OESD staff.

Vulgar, Profane, or Lewd Conduct or Expression

Any lewd, indecent, vulgar, profane, or obscene conduct or expression shall be grounds for disciplinary action.

Forgery

The forging of any signature or the making of any false entry or the alteration of any document used or intended to be used in connection with the operation of the OESD or school shall be grounds for corrective action or punishment.

Truancy

A student shall not be absent or tardy from classes without an approved excuse. A student who exhibits a pattern of truancy shall be classified as a habitual truant and shall be subject to corrective action or punishment.

Harassment, Bullying and Intimidation

Harassment, bullying, and intimidation can occur adult-to-student, student-to-adult, student-to-student, male-to-female, female to male, male-to-male, or female-to-female.

Harassment, bullying, and intimidation can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other electronic, written, oral or physical actions.

Depending upon the frequency and severity of the conduct; intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate and change the behavior of the perpetrator. This includes appropriate intervention, restoration of a positive climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, bullying, or intimidation also constitute violations of this procedure and related policy.

The measures taken by the OESD or school district against a student for such action will follow a progressive discipline plan that may vary in accordance with the seriousness of the action of the student.

Definitions

As used in this procedure the term:

- (1) "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: Provided, that the student is in the custody of a school district or OESD employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of OESD.
- (2) "Suspension" shall mean a denial of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by OESD and/or the student's school district.
- (3) "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding five consecutive school days.
- (4) "Long-term suspension" shall mean a suspension which exceeds a "short-term suspension" as defined in subsection (3) of this section.
- (5) "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by OESD and/or the student's school district.
- (6) "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of OESD is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

- (7) “Harassment, bullying, or intimidation” means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080 Malicious Harassment (3) individual was a member of a certain race, color, religion, ancestry, national origin, gender, or sexual orientation, or had a mental, physical, or sensory handicap., or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:
- Physically harms a student or damages the student’s property, and/or
 - Has the effect of substantially interfering with a student’s education; and/or
 - Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; and/or
 - Has the effect of substantially disrupting the orderly operation of the school.

In addition to other rights established by law, each student served by or in behalf of OESD shall possess the following substantive rights, and OESD shall not limit these rights except for good and sufficient cause:

- (1) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental or sensory disability.
- (2) All students possess the constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.
- (3) All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.
- (4) All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of OESD.
- (5) No student shall be deprived of the right to an equal educational opportunity in whole or in part by OESD without due process of law.

The foregoing enumeration of rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the state of Washington or the rights retained by the people.