



WENATCHEE SCHOOL DISTRICT NO. 246

R.C.W. 28A.600.010 requires school district board of directors to adopt and make available to each pupil and parent in the district reasonable rules and regulations regarding pupil conduct, discipline and rights, which rules and regulations shall include such substantive and procedural due process guarantees as may be prescribed by the State Board of Education. In accordance with this statute and WAC 180-40 as adopted by the State Board of Education, the Board of Education of Wenatchee School District No. 246 has adopted the following rules and regulations regarding rights, responsibilities, discipline and due process guarantee of pupils.

RULES & REGULATIONS ON STUDENT RIGHTS AND RESPONSIBILITIES

The mission of the Wenatchee School District is to “Personally know and encourage students as individual learners and recognize their academic, citizenship and co-curricular accomplishments. Assist students to learn and apply essential skills and values to be contributing community citizens with a global perspective. Challenge students to continually stretch and grow while working with family and community as active partners.”

Administrators and teachers also have rights and duties. The teacher is required by law to maintain a suitable environment for learning, and administrators have the responsibility for maintaining and facilitating the educational program.

The principal is authorized to impose discipline, suspensions and emergency expulsions. He or she may recommend short-term suspensions, long-term suspensions, or expulsions. The teacher has the authority to discipline or to exclude a student from class or an activity for the remainder of the period or up to the following two days, or until the principal or designee and teacher have conferred. The teacher may also recommend more serious discipline to the principal. The following rules, regulations and due process procedures statement are designed to protect all members of the educational community in the exercise of their rights and duties.

Nothing in this statement of student rights shall be held to limit the due process rights of educators or non-certificated school employees nor their use of the District grievance procedure.

The following enumeration of rules and regulations of certain rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the United States and in the constitution and the laws of the State of Washington or the rights retained by the people.

RIGHTS, RESPONSIBILITIES, AND LIMITATIONS

1. **Criminal Acts** - Any act occurring on school premises or at school-sponsored events which is contrary to the laws of the State of Washington or the ordinances of the City of Wenatchee or the County of Chelan is prohibited by these regulations.
2. **Student Conduct** - See W.S.D. Policy #3240 (back page)
3. **Attendance** - All pupils enrolled in the Wenatchee Public Schools shall be punctual and regular in attendance. Attending the common schools of the State of Washington shall be recognized as a right and responsibility for those who meet the requirements prescribed by law, and no pupil shall be disciplined, suspended or expelled except for just cause
4. **Dress and Appearance** - Dress and appearance must be neat and clean and must not represent health or safety problems or cause disruption. Reasonable standard of dress and appearance may be established consistent with these rights and responsibilities.
5. **Use of Tobacco** - Use of tobacco, in any form, is not permitted on school district property, in district facilities or vehicles.
6. **Off-Campus Events** - Students at school-sponsored, off-campus events shall be governed by school district rules and regulations and are subject to the authority of school district officials.
7. **Freedom of Speech and Assembly** - Students are entitled to express verbally their personal opinions in such manner and at such times as does not disrupt or interfere with the educational process or with the freedom of others to express themselves. The use of obscenities or personal attacks is prohibited. All student meetings on school district property may function only as scheduled and regulated by school authorities as to time, place, and manner.
8. **Freedom to Publish** -
 - a. Students are entitled to express in writing their personal opinions. The distribution of such material may not interfere with or disrupt the educational process. Such written expressions must be signed by the authors.
 - b. Students who edit, publish, or distribute handwritten, printed, or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications.
 - c. Libel, obscenity, and personal attacks are prohibited in all publications.
 - d. Commercial solicitation will not be allowed on school property at any time unless authorized by the building principal.
 - e. All publications intended to be distributed on school district property must first be submitted to the building principal for regulation as to time, place, and manner.
9. **Search & Seizure** - Student lockers and desks are the property of the Wenatchee School District and made available for student use. Student lockers and desks will be subject to inspection on administrative announced occasions for the purpose of school safety and cleanliness. No right nor expectation of privacy exists for any student as to the use of any locker or desk issued or assigned to a student by the school.
10. **Disciplinary Procedure** - All pupils who attend the Wenatchee Public Schools shall comply with the reasonable written rules and regulations established. Furthermore, all such pupils shall submit to the reasonable direction of school authorities. Refusal to comply with such written rules and regulations or to follow such reasonable directions of school authorities shall constitute cause for discipline, suspension or expulsion.
11. **Sanctions** - No pupil shall be expelled, suspended, or disciplined for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the education process.
 - a. "Expulsion" is the exclusion from school, individual classes, or school activities for an indefinite period. An "emergency expulsion" is when a student is expelled prior to a hearing because he or she constitutes an immediate and continuing danger to others or the program.
 - b. "Suspension" is the exclusion from school, individual classes, or school activities for a specific period of time after which the student has a right to return.
 - i. A suspension is "short term" if it is for a period of ten(10) consecutive school or less. Separate short-term suspensions shall not total more than ten (10) school days in a semester for any student in grades K-4. Separate short-term suspensions shall not total more than fifteen (15) days in a semester for a student in any other grade. Student grades shall not be affected substantially as a result of a short
 - ii. Suspensions which exceed ten (10) consecutive school days are long-term suspensions.
 - c. "Discipline" constitutes all other forms of correction or punishment including brief exclusions from a class for not more than the remainder of the class or activity period or up to the following two days, or until the principal or designee and teacher have conferred. Discipline shall not be used to adversely affect specific academic grade, subject, or graduation requirements.
12. **Short-Term Suspension / Conditions and Limitations** - A short-term suspension may be imposed upon a student for violation of school district rules subject to the following limitations or conditions, and the prior informal conference procedures set forth in Section 17, and the grievance procedures set forth in Section 18.
 - a. The nature and circumstances of the violation must reasonably warrant a short-term suspension and the length of the suspension imposed.

- b. No student shall be suspended unless other forms of corrective action or punishment reasonably calculated to modify his/her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed.
 - c. In addition to the alternative corrective action requirement of subsection (b) of this section, no student subject to compulsory attendance pursuant to chapter 28A.225.RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his/her conduct and, in addition;
 - i. Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;
 - ii. Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence; and
 - iii. Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials, and where possible, discussed with the student, parent(s), guardian(s), or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.
 - d. Kindergarten through grade four: No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten (10) school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
 - e. Grade five and above program: No student in the grade five and above program shall be subjected to short-term suspensions for more than a total of fifteen (15) school days during any single semester or ten (10) school days during any single trimester, as the case may be.
 - f. Any student subject to a short-term suspension shall be provided the opportunity upon his/her return to make up assignments and tests missed by reason of the short-term suspension if:
 - i. Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades, or
 - ii. Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
 - g. Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.
13. **Short-Term Suspension / Prior Conference Required / Notice to Parent -**
- a. Prior to the short-term suspension of any student, a conference shall be conducted with the student as follows:
 - i. An oral or written notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student;
 - ii. An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student;
 - iii. An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student; and
 - iv. The student shall be provided the opportunity to present his/her explanation.
 - b. In the event a short-term suspension is to exceed one (1) calendar day, the parent(s) or guardian(s) of the student shall be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the United States mail as soon as reasonably possible. The notice shall also inform the parent or guardian of the right to an informal conference and that the suspension may possibly be reduced as a result of such conference.
 - c. All short-term suspensions and the reasons therefore shall be reported in writing to the superintendent of the school district or his/her designee within twenty-four (24) hours after the imposition of the suspension.
14. **Short-Term Suspension Grievance Procedure -** Any student, parent or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or his/her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his/her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two (2) school business days' prior notice shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved, the student, parent, or guardian upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten (10) school business days after the date of the meeting. The short-term suspension shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his/her designee elects to postpone such action.
15. **Long-Term Suspension / Conditions and Limitations -** The nature and circumstance of the violation must reasonably warrant a long-term suspension and the length of the suspension imposed.
16. **Long-Term Suspension or Expulsion Hearing -** "Long-term suspensions or expulsions" may be imposed by those designated by the superintendent only after a fair hearing is made available to the students. To safeguard the rights of students, hearings related to expulsions or suspensions shall adhere to the following:
- a. Prior to the long-term suspension or expulsion of a student written notice of the hearing shall be delivered to the student and to his/her parent(s) or guardian(s) by certified mail or in person. The notice shall:
 - i. Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible;
 - ii. Specify the misconduct and the school district rule(s) it violates;
 - iii. Set forth the corrective action or punishment proposed,
 - iv. Set forth the right to a hearing; and
 - v. That if a written request for a hearing is not received by the school district employee named in the notice within three (3) school business days after the notice is received, the hearing will be waived and the recommended punishment take effect.
 - b. Representatives of the student and of the school district shall be permitted to inspect in advance of such hearing any affidavits or exhibits which are to be submitted to the hearing. The student shall have the opportunity to be represented by counsel and shall have the opportunity to present his/her version as to the charges and to make such showing by way of affidavits, exhibits and such witnesses as desired, as well as the opportunity to question witnesses. The person(s) hearing the case shall not be a witness, and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
 - c. Either a tape recorded or verbatim record of the hearing shall be made.
 - d. If the hearing officer, hearing the case, imposes a sanction of long-term suspension or expulsion, the student and his/her parent or guardian shall have three (3) school business days after receiving the hearing decision to appeal that decision to the board of directors. If an appeal is not taken, the sanction decided upon shall take effect at the end of this three (3) day period. If a timely appeal is taken to the board of directors or disciplinary appeal council, the suspension or expulsion may be imposed during the appeal period subject to the following conditions and limitations:
 - i. An emergency expulsion may be continued during the appeal period for so long as the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school;
 - ii. Any days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion; and

- iii. Any student subjected to a temporary suspension who returns to school before the appeal is decided shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the suspension if:
 - (1) Such assignments or tests have substantial effect upon the student's semester or trimester grade or grades; or
 - (2) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
 - iv. A long-term suspension or non-emergency expulsion may be imposed during the appeal period for no more than ten consecutive school days or until the appeal is decided, whichever is the shortest period;
17. **Appeal to Board of Directors from Expulsion or Suspension Decision of Delegated Hearing Authority / Procedures Prescribed-** If a notice of appeal to the school board of directors or school district disciplinary appeal council is received pursuant to WAC180-40-310(2) within the required three school business days, the board of directors shall schedule and hold a meeting to informally review the matter within ten (10) school business days from the receipt of such appeal. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of disposing of the appeal. At that time the pupil, his parent or guardian, or his attorney, shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board of directors deems reasonable. Prior to adjournment of the board, it shall agree to one of the following procedures:
- a. Study the hearing record or other material submitted and report its findings within ten (10) school business days;
 - b. Schedule and hold a special meeting to hear further arguments on the case and render its decision within fifteen (15) school business days after the informal conference; or
 - c. Hear and try the case *de novo* before the board of directors within ten (10) school days and in accordance with the fair hearing provision of this chapter.
18. **Appeal to Superior Court from Action by Board of Directors Regarding Discipline, Suspension or Expulsion / Procedure Prescribed -** Within thirty (30) days or receipt of the board of directors' final decision, any pupil, or parent or guardian desiring to appeal from any action upon the part of a board of directors regarding discipline, suspension or expulsion may serve, upon the chairman of the board of directors and file with the clerk of the Superior Court in the county in which the school district is located, a notice of appeal. Such notice shall set forth also in a clear and concise manner the errors complained of.
19. **Saving Clause -** Any section of this document, or portion thereof, found by adjudication to be contrary to law or constitutional right, shall be stricken or amended without effect to the remainder.

MEDICATION PROCEDURES: Elementary Students (Grades K-5)

<p>Prescribed medications* (*Except epi-pen and asthma inhaler, please see below.)</p>	<p>Students may not self-carry these medications. Prescribed medications taken at school, or that may be stored at school, must have an accompanying <i>Authorization for Medication Administration #SN-02</i> form completed by the prescribing health care professional. Parents must transport medications to school; students are not allowed to carry these medications.</p>
<p>Self-carry rescue medications: (Epi-pen and asthma inhaler.)</p>	<p>Students in elementary grades shall be granted permission to self-carry rescue medication provided certain criteria are met. AMA form must be completed for Epi-pen use and storage, and for inhaler storage.</p> <p>Students self-carrying an inhaler do not need to provide an AMA form unless a back up inhaler is stored at school. Parents are strongly encouraged to provide a backup rescue medication to store at the school office.</p>
<p>'Over the counter' medications (OTC)</p>	<p>Students may not self-carry these medications. Parents may provide a completed AMA form for OTC medications they wish to store at school. Example: Tylenol, Benadryl.</p>

Rescue Medications for All Grades:

- Inhaler: No AMA form is required for students to self-carry inhalers. However, an AMA form is required if back up medication is stored at school. Parents are strongly encouraged to provide a backup rescue medication to store at the school office for use in the event your child forgets medications at home.
- Epi-Pen: An *Authorization for Medication Administration #SN-02* (AMA) form must be signed by both the health care provider and parent/ guardian before student may self-carry Epi-Pen. Parents are strongly encouraged to provide a backup rescue medication to store at the school office for use in the event your child forgets medications at home.

Injectable Medications for Diabetic Management:

- Accommodations shall be made through the development of an Individualized Health Care Plan (IHP) for students with diabetes, who require specialized medical care at school, including the possibility of injectable medications and/or blood glucose monitoring.
- These plans shall be developed and supervised by a licensed school nurse in accordance with the Laws Related to Nursing (Washington State Nurse Practice Act) and the Washington State Task Force (OSPI) Guidelines for Care of Students with Diabetes.

Over the Counter Medication:

- Students in grade 6-12 may carry one day's dosage of over-the-counter medication.

STUDENT CONDUCT

The board acknowledges that conduct and behavior is closely associated to learning. An effective instructional program requires a wholesome and orderly school environment. The Board requires that each student adhere to the rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day as well as during any school activity conducted on or off campus. In addition, special rules are also applicable while riding on a school bus.

Students are expected to:

- a. Conform to reasonable standards of socially acceptable behavior;
- b. Respect the rights, person and property of others;
- c. Preserve the degree of order necessary for a positive climate for learning; and
- d. Submit to the authority of staff and respond accordingly.

The following acts or commissions by a student while on school property (or in reasonable proximity thereto) or at any school-sponsored activity or event off school property are prohibited and shall constitute cause for discipline, suspension or expulsion by authorized School District authorities:

- A. The commission of any criminal act under the laws of the State of Washington including, but not limited to, the following:
 1. ARSON: The intentional setting of fire or explosion.
 2. ASSAULT/BATTERY: Physical threats, fighting, or violence to persons.
 3. BURGLARY: The act of entering or remaining unlawfully in a building with the intent to commit a crime.
 4. EXPLOSIVES: Explosives are not permitted.
 5. EXTORTION OR COERCION: Obtaining or attempting to obtain money, property or services by threats or forcing someone to do something against his/her will by force or threat of force.
 6. FIREARMS: Firearms are not permitted.
 7. GAMBLING: Risking something of monetary value for the chance to win a prize.
 8. THEFT: Stealing.
 9. MALICIOUS MISCHIEF: Property damage.
 10. ROBBERY: Stealing by force or threat of force.
 11. SALE, DELIVERY, USE OR POSSESSION OF ALCOHOLIC BEVERAGES OR ILLEGAL DRUGS.
 12. TRESPASS: Being present in an unauthorized place or refusing to leave when ordered to do so.
 13. THREATS TO BOMB or INJURE PROPERTY: Falsely reporting a fire or bombing.
 14. HARASSMENT: Threatening to cause bodily injury, physical damage, or physical restraint of another, or maliciously threatening to do any other act intended to substantially harm the physical or mental health of another.
 15. GANG INTIMIDATION: Threatening of another person with bodily injury because the person refuses to join or has attempted to withdraw from a gang.
- B. Being under the influence of alcohol or a controlled substance not prescribed by a physician for the student.
- C. Use or possession of alcohol, a controlled substance not prescribed by a physician for such student, a purported controlled substance, drug paraphernalia, and tobacco products.
- D. Sale or delivery of alcohol, tobacco, or a controlled substance or purported controlled substance to another person.
- E. Refusal to identify self. All students must, upon request, identify themselves to proper school authorities.
- F. Any act or conduct directly or indirectly causing substantial or material disruption or obstruction of any school function or operation. Continuously and intentionally acting in any manner so as to interfere seriously with the teacher's ability to conduct his/her class.
- G. Failure to comply with School District policies or school rules or with the directions of teachers, substitute teachers, school patrolmen, custodians, nurses, counselors, attendants, teacher aides, bus drivers, cooks, secretaries, librarians, lunchroom supervisors, principals, or other authorized personnel during any period of time the student is properly under the authority of school personnel.
- H. The known possession, display, handling or transmission of any object, which can reasonably be, considered a weapon.
- I. Any lewd, indecent, or obscene conduct or expression.
- J. Belonging to a gang and knowingly engaging in gang activity.
- K. Sexual, racial or any other form of harassment.

Cross Reference	Board Policy 8123	Student Conduct on Buses
Legal References:	RCW	
	4.24.190	Action against parent for willful injury to property by minor—Monetary limitation —Common law liability preserved
	9A.16.020	Use of force—when lawful
	9.41	Firearms and dangerous weapons
	9.91.160	Personal protection spray devices
	28A.210.310	Prohibition of use of tobacco products on school property
	28A.400.110	Principal to assure appropriate student discipline
	28A.600.020	Government of schools, pupils, employees, rules and regulations for—To insure optimum learning atmosphere
	28A.600.040	Pupils to comply with rules and regulations
	28A.635.060	Defacing or injuring school property— Liability of parent or guardian
	28A.600.420	Firearms on school premises, transportation or facilities—Penalty— Exemptions
	P.L. 101-226	Drug-Free Schools and Community Act
	WAC	
	180-40-205	Definitions
	180-40-225	School district rules defining misconduct — Distribution of rules