



OSPI

Office of Superintendent
of Public Instruction

Student Discipline Rulemaking Update— June 26, 2017

Washington Office of Superintendent of Public Instruction sent this bulletin at 06/26/2017 03:48 PM PDT

Student Discipline Rulemaking Update

Discipline Rules

Following the passage of a new discipline law in 2016 ([4SHB 1541](#)), OSPI completed expedited rulemaking to align the student discipline rules in [Chapter 392-400 WAC](#) with the new provisions of the law. These rules went into effect September 1, 2016.

At the same time, OSPI recognized the need for additional rulemaking to clarify requirements under HB 1541, implement internal and external feedback regarding student discipline, and improve the readability of the entire chapter. On November 1, 2016 the agency filed a [CR 101 Preproposal Statement of Inquiry](#) to initiate regular rulemaking on [Chapter 392-400 WAC](#).

In order to complete a thorough revision of the rules and allow ample time for substantial feedback from interested parties, OSPI has extended the rulemaking process into the summer, with final rules to be effective for the 2018–19 school year.

Discipline Policies and Procedures

Shortly after the new discipline law, 4SHB 1541, went into effect in 2016, the Washington State School Directors' Association (WSSDA) issued an interim update to its Classroom Management, Discipline, and Corrective Action Policy and Procedure (3241/3241P). OSPI is in regular communication with WSSDA regarding future updates to the model school district discipline policies and procedures.

Even though rulemaking is currently ongoing, school districts are required to adopt and disseminate policies and procedures that are consistent with state laws and rules, and should take steps to make sure that student handbooks are consistent with the new laws and rules. Additionally, HB 1541 requires districts to periodically review and update discipline policies and procedures in consultation with staff, students, families, and the community.

Questions? Contact us!

For more information and resources about student discipline, please visit OSPI's [Student Discipline](#) webpage.

For questions about student discipline or HB 1541 (Part I):

Joshua Lynch, Program Supervisor, Student Discipline, Behavior, and Readiness to Learn

Joshua.Lynch@k12.wa.us | 360-725-4969

For questions about discipline rulemaking:

Dierk Meierbachtol, Chief Legal Officer

Dierk.Meierbachtol@k12.wa.us | 360-725-6004

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.

Questions and complaints of alleged discrimination should be directed to:

Equity and Civil Rights Director

P.O. Box 47200

Olympia, WA 98504-7200

360-725-6162

TTY: 360-664-3631



Summary of 4SHB 1541

Student Discipline

- Districts must annually disseminate discipline policies, procedures and data to students, families, and community
- Districts must periodically review and update discipline rules, policies, and procedures
- WSSDA must develop model policy by December 1, 2016
 - School districts must adopt policy consistent with WSSDA model by beginning of 2017-2018 school year.
- OSPI must develop training for school staff on discipline policies and procedures (*subject to appropriations*)
- School Districts are strongly encouraged to provide the trainings to all school and district staff.
- Prohibits the use of long-term suspension or expulsion as form of discretionary discipline
 - Defines "discretionary discipline" as an action taken that is NOT in response to a weapons offense, gang activity, defacing school property, violent offense, sexual offense, drug and alcohol offense, (these offenses come with mandatory disciplinary actions), or behavior that "adversely impacts the health and safety of other students or staff"
- School districts may not suspend educational services as a form of discipline
- School districts must provide an opportunity for students to receive educational services when suspended or expelled
 - Alternative settings must be comparable, equitable, and appropriate to the regular education services the student would have received
- Expulsions may only be the length of an academic term, as defined by the school board
- School districts must convene a reengagement plan meeting no later than 5-days before a student's reenrollment after a long-term suspension or expulsion
 - Families must have access to a culturally sensitive and responsive reengagement plan and process
- ERDC must produce a regular report on the outcomes of youth in the juvenile justice system

Educator Cultural Competence

- WSSDA must develop a plan for the creation and delivery of cultural competency training to school board directors and superintendents
- OSPI must incorporate cultural competence training into TPEP training
- OSPI must develop outline for professional development and training for school staff, including classified staff (*subject to appropriation*)
- SIG, RAD, priority, and focus schools are encouraged to provide cultural competency training for classified, certificated, and administrative staff



English Language Learners

- By 2019-2020 school year, all classroom teachers funded with TBIP funds must be endorsed in either bilingual education or ELL instruction
- OSPI will provide districts with technical assistance and support in selecting program models, instructional materials, and professional development for serving English language learners (*subject to appropriation*)
- OSPI shall identify the schools in the top 5% of schools with the highest growth in ELL populations and notify and encourage the schools and districts to provide cultural competence professional development

Student Data

- Beginning 2017-2018, all data collected and reported by school districts and OSPI must be disaggregated according to the federal subracial and subethnic categories, including:
 - Black students by African origin or native to US with African ancestors
 - Asian students by country of origin
 - White students by Eastern European nationalities
 - Multiracial students by the racial and ethnic combination of categories
- OSPI shall convene a task force to develop guidance on race and ethnicity reporting (*subject to appropriation*)
- Reduces reportable size of student group to 10 students, from 20 students
- OSPI must develop data protocols and guidance for school districts and modify the student data system as needed.
- OSPI must incorporate training for school staff based on best practices for collection of data on student race and ethnicity in other training or PD

Recruitment and Retention of Educators

- To the extent data is available, OSPI must collect and make available on the internet teacher demographic data by district
- To the extent data is available, OSPI must collect and make available on the internet teacher average length of service data by district

Transitions

- The Department of Early Learning must work with OSPI to create a community information and involvement plan for home-based, tribal, and family early learning providers on the Early Achievers program

Integrated Student Services and Family Engagement

- Establishes the Washington Integrated Student Supports Protocol (WISSP), which will (*subject to appropriation*):
 - Coordinate academic and non-academic supports



- Encourage the creation and expansion of community based supports that can be integrated into the academic environment of schools
 - Increase public awareness that academic outcomes are the result of academic and non-academic factors
- The WISSP will include:
 - Needs assessments for all at-risk students to identify the academic and non-academic supports needed
 - Schools and districts must develop close relationships with providers of academic and non-academic supports and community partnerships.
 - Tracking of student needs and outcome data
- OSPI shall establish a workgroup to determine how to best implement the WISSP framework *(subject to appropriation)*
 - Submit a report to the Legislature by October 1, 2017 on policies that need to be adopted or revised to implement the WISSP framework
- Reestablishes the Center for Improved Student Learning (CISL) at OSPI *(subject to appropriation)*

League of Education Voters

2734 Westlake Ave N
Seattle, WA 98109
206.728.6448

educationvoters.org

