

Student Discipline Rules

Frequently Asked Questions

Introduction

The Office of Superintendent of Public Instruction (OSPI) Student Engagement and Support Division is committed to ensuring that all students in Washington State have equitable access to education, as guaranteed by the Washington State Constitution. This Frequently Asked Questions (FAQ) document aims to support understanding of Washington's student discipline rules and ensure school staff, students and families have clear and accessible information regarding student discipline.

General

1. What is the purpose of student discipline rules?

Washington's student discipline rules aim to reflect a commitment to fostering supportive, inclusive school communities where every student can thrive. These rules intend to guide school leaders in implementing fair disciplinary practices that keep students connected to their learning. By emphasizing collaboration with families and communities and providing strong classroom reentry support, the rules aim to promote academic growth, ensure consistent access to education, and create safe, respectful, and empowering learning environments.

2. What standards are used to guide the student discipline rules?

In alignment with current state law, OSPI updated student discipline rules following the repeal of the legal requirement to use a "menu of best practices" as alternatives to discipline in 2021. Rather than relying on a prescribed menu, educators are now guided by the professional standards established by the Professional Educator Standards Board (PESB), including the Teacher and Principal Evaluation Program (TPEP) and the Washington State's Cultural Competency, Diversity, Equity, and Inclusion (CCDEI) Standards.

CCDEI Standards—adopted by PESB—along with TPEP, reflect a shared commitment to fostering equitable, inclusive, and effective school environments. Grounded in state law, these standards and evaluation criteria are supported by Revised Code of Washington (RCW) statutes: RCW 28A.410.270, 28A.410.278, 28A.405.100, 28A.410.260, and 28A.415.443. These laws affirm the professional judgment of qualified certificated educators in creating positive learning conditions for all students. These frameworks emphasize the use of evidence-based strategies and professional judgment to support positive student behavior and create respectful, responsive classrooms where every student feels a sense of belonging.



Educators play a central role in building welcoming school communities for all students and families.

Faculty, staff, and administrators are encouraged to elevate and center community voices, forming meaningful partnerships that enhance student learning and reflect the values embedded in RCW 28A.410.260 and RCW 28A.415.443.

3. Will OSPI write guidance for school districts and provide training and other technical assistance to support the revised student discipline rules?

When the student discipline policy was enacted, no additional funding was provided to support its implementation, including professional development for educators. In response, the Office of Superintendent of Public Instruction (OSPI) is leveraging existing resources and encouraging school districts to do the same. OSPI is supporting districts in using the instructional and leadership frameworks to help educators create safe, inclusive, and supportive learning environments where all students can succeed. OSPI recognizes that fostering a positive and safe school climate is essential for student learning and for reducing disproportionality in school discipline. Although no new funding is available, OSPI is asking districts to prioritize the use of current resources to strengthen systems of care and support for students across the state.

4. Are there protections in the new student discipline rules so schools won't suspend and expel without a process?

Yes. The updated student discipline rules continue to place strict limits on the use of long-term suspension and expulsion. These measures should only be used in serious situations and when other interventions have not been successful. The rules also emphasize the importance of ongoing communication with families when a student's behavior challenges persist. Schools are expected to work in partnership with families to support positive behavior and keep students engaged in their education.

5. What is the impact of the revised student discipline rules on students receiving special education services?

Washington State student discipline laws apply to all K–12 students. However, students served under or eligible for Special Education or Section 504 services are entitled to additional protections. No changes have been made to special education rules. Students with disabilities continue to be protected under existing federal and state laws and remain entitled to all appropriate services and safeguards. According to [WAC 392-172A-05170](#), if a school district had knowledge—defined in the referenced WAC section—that a student was eligible for Special Education services prior to administering disciplinary action, the student must be afforded the special education discipline protections established by law. Further details regarding the provision of Special Education services are outlined in Chapter [392-172A WAC](#). Specific discipline procedures for students with disabilities are detailed in [WAC 392-172A-05140](#) through [WAC 392-172A-05175](#).

Definitions

6. Classroom exclusion

According to [WAC 392-400-025](#), classroom exclusion is defined as the removal of a student from a classroom or instructional/activity area due to behavioral violations.

However, it does not encompass brief instances where a teacher or other school personnel attempts alternative disciplinary measures, provided that the student remains under the supervision of the teacher or other school personnel during this brief duration. This definition is further elaborated in [WAC 392-400-330](#), which outlines the conditions and limitations for administering classroom exclusions.

7. Discretionary discipline

Outlined in [RCW 28A.600.015\(6\)](#), "discretionary discipline" means a disciplinary action taken by a school district for student behavior that violates rules of student conduct adopted by a school district board of directors under RCW [28A.600.010](#).

8. Non-discretionary discipline

Non-discretionary discipline constitute action taken in response to any of the following:

- a) A violation of RCW [28A.600.420](#);
- b) An offense in RCW [13.04.155](#);
- c) Two or more violations of RCW [9A.46.120](#), [9.41.280](#), [28A.600.455](#), [28A.635.020](#), or [28A.635.060](#) within a three-year period; or
- d) Behavior that adversely impacts the health or safety of other students or educational staff.

9. Restorative Justice Practices

There is currently no legal definition of "restorative practices" specific to Washington State K–12 education. However, the term is generally understood and supported through technical assistance and educational resources as follows: Restorative Practices is an emerging social science focused on strengthening relationships between individuals and within communities. In the school setting, restorative practices foster a trusting and inclusive environment by providing students and staff with opportunities to make positive choices and engage respectfully with one another— both in the classroom and throughout the school

When effectively implemented, restorative practices contribute to a greater sense of safety and belonging for students, which is associated with improved behavior, reduced bullying, and decreased violence.

10. Suspension

"Suspension" means a denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but does not include expulsions or emergency removals. WAC [392-400-025](#)

- a. **"In-school suspension"** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to 10 consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).
- b. **"Long-term suspension"** means a suspension in which a student is excluded from school for more than 10 consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).
- c. **"Short-term suspension"** means a suspension in which a student is excluded from school for up to 10 consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).

11. Expulsion

According to WAC [392-400-025](#), "expulsion" means a denial of admission to the student's current school placement in response to a behavioral violation, subject to the requirements in WAC [392-400-430](#) through [392-400-480](#).

12. Emergency removal

According to WAC [392-400-025](#), "emergency removal" is the removal of a student from school because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC [392-400-510](#) through [392-400-530](#).

13. Why was the term emergency expulsion changed to emergency removal?

In 2023, Washington State law ([RCW 28A.600.495](#)) updated the terminology from "emergency expulsion" to "emergency removal" to better reflect the nature of the action. The law affirms that schools have the authority to immediately remove a student who poses an immediate and ongoing danger to others or causes significant disruption to the educational process.

Emergency removal is limited to a maximum of 10 consecutive school days. During this period, the student must have access to educational services. Additionally, both emergency removal and any subsequent suspension or expulsion can be appealed.

The legislature recognized that the term "emergency expulsion" can harm a student's reputation and lead to negative assumptions, potentially resulting in harassment or bullying. To avoid this, the term "emergency removal" is now used to emphasize that this

is a temporary action intended to allow for proper assessment and response to urgent situations.

Data & Reporting

14. What are the data collection requirements related to student discipline?

OSPI does not collect data related to staff perceptions of safety within schools. However, school districts are encouraged to regularly review discipline data to identify patterns and any disproportionality in the application of discipline policies. School and district leadership teams should integrate data from multiple sources and domains to support equitable, data-driven decision-making. This includes conducting root cause analyses, guiding student interventions, identifying professional learning needs, and informing changes to practices, policies, and systems. Statewide data on out-of-school exclusionary discipline is available and disaggregated by district, school, grade level, student demographics, and school year, providing valuable insights to support continuous improvement.

15. Is there a requirement to monitor discipline data to avoid disparate impacts?

Yes. Washington State civil rights laws require school districts to review disaggregated discipline data, including race and ethnicity, to identify and address any discrimination against students in protected classes, as defined in [RCW 28A.640](#) and [28A.642](#). Under [WAC 392-190-048](#), districts must conduct this review at least annually to ensure fair and equitable treatment of all students. While districts may incorporate this review into broader efforts under student discipline laws, they must also maintain a civil rights lens to ensure compliance and equity. School boards, in collaboration with superintendents and staff, are responsible for examining discipline data and taking corrective action if patterns of disproportionality or discrimination are found. OSPI is committed to partnering with districts to address these inequities. Educators are highly trained and held accountable for creating inclusive classroom environments that meet the needs of all learners. When a student is struggling, school leaders and district administrators are expected to work together to identify appropriate support and resources. The updated student discipline rules reinforce this collaborative, student-centered approach by aligning with existing frameworks, tools, and systems already familiar to educators.

Suspension and Expulsion

16. Can a school district suspend a student for longer than one academic term or school year?

No, under Washington state law, a student cannot be suspended for longer than one academic term (like a semester or trimester). Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date of not more than the length of an academic term, as defined by the school board, from the time of corrective action [RCW 28A.600.020](#). There is no provision in the law to petition to extend a long-term suspension beyond that term.

WAC [392-400-440](#) further clarifies that kindergarten through fourth grade may **not** be long-term suspended unless they carry or possess a firearm on school premises.

17. Can a school district expel a student for longer than one academic term or school year?

Under Washington state law, a student cannot be expelled for longer than one academic term (like a semester or trimester), unless:

- The school follows a specific process to request a petition to extend expulsion for public health or safety reasons. [WAC 392-400-480](#)
- OR Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, shall be expelled from school for not less than one year under RCW [28A.600.010](#).

WAC [392-400-440](#) further clarifies that kindergarten through fourth grade may **not** be expelled unless they carry or possess a firearm on school premises.

18. When and how can a student be expelled for longer than one term?

Only when the student poses a risk to public health or safety, and the school petitions the district superintendent, who must approve the extension. [WAC 392-400-480](#) To extend the expulsion, the school must:

- 1) Explain the behavior and why it poses a public health or safety risk;
- 2) Show the student's academic and discipline history;
- 3) Describe any supports or services the student received;
- 4) Show the student's progress during expulsion and education plan;
- 5) Propose a new end date; and,
- 6) Include a reengagement plan for the student's return.

The principal or designee may petition to extend an expulsion only after the development of a reengagement plan under WAC [392-400-710](#) and before the end of the expulsion. The petition must be reviewed and approved by the district

superintendent or their designee. They can only approve if there's substantial evidence that letting the student return earlier would pose a risk.

For violations of WAC [392-400-820](#), the principal or designee may petition to extend an expulsion at any time.

19. How long can an extension last?

Even if granted, the extension cannot go beyond one academic term. There is no limit on overall number of expulsion extensions, so long as no extension is longer than one academic term, and the district re-justifies the extension each year based on "risk to public health or safety" [WAC 392-400-480](#)

20. Are students and families notified of the petition of an extension?

Yes. The school must notify the student/family within one school business day of submitting the petition. Additionally, with a copy of the petition, the district must communicate the student/families' rights to have a conference with the superintendent and the right to respond in writing or in person. They also have the right to request a review of the decision by the school board or discipline appeal council. [WAC 392-400-480](#)

21. Can the student still get an education during an expulsion?

Yes. The district is required to offer educational services during any expulsion. These may be in an alternative high school, through one-on-one tutoring, and/or online learning, as long as the services are comparable, equitable, and appropriate to what the student would get in regular school. [WAC 392-400-480](#)

Student Discipline Implementation in Schools

22. What must school districts include in their local student discipline policies, and where can they find guidance?

Per [RCW 28A.600.010](#), each school district's board of directors must adopt discipline policies and procedures that align with federal and state laws, OSPI rules under [chapter 392-400 WAC](#), and the WSSDA model discipline policy. These policies must clearly outline the district's authority and guidance on student discipline and be accessible to students, families, and the community.

Districts and school boards are also required to regularly review and update these policies to ensure consistent enforcement of student behavior expectations across schools and classrooms. For support, districts may utilize WSSDA's Featured Policies and Procedures, which offers model documents for adoption.

23. How will school districts implement the updated student discipline rules?

School districts shall actively collaborate with their respective local school boards to conduct comprehensive reviews and necessary updates of existing student discipline policies and procedures. This collaborative effort aims to ensure that district practices are fully aligned with current legal requirements, state regulations, and best practices in student discipline. Through this partnership, districts and school boards will work to strengthen policy coherence and clarity, thereby supporting the effective and consistent implementation of disciplinary measures across all schools. This process is essential to promoting equitable, transparent, and accountable discipline practices that foster safe and supportive learning environments for all students.

24. How will families and community members be involved in the implementation of the updated student discipline rules?

Local school leaders have a responsibility to actively create and implement meaningful opportunities for engagement with educators, families, and community members. This collaboration ensures that diverse perspectives inform school policies and practices, promoting a more inclusive and supportive educational environment. In accordance with WAC 392-190-048, school boards are required to regularly review discipline data to identify any patterns of disproportionality or disparities among student groups. When such disparities are found, school boards must respond promptly and effectively by developing and implementing strategies to address these inequities.

This process supports the district's commitment to fairness, equity, and culturally responsive education for all students. By combining ongoing community engagement with data-driven accountability, school leaders and boards work to ensure equitable treatment and positive outcomes for every student.

25. What is the role of the classroom educator relative to the new student discipline rules?

Student behavior has become more complex due to the ongoing effects of the COVID-19 pandemic, increased use of cell phones, and rising anxiety related to local and global issues. Under the previous student discipline rules, burdensome procedures often made it difficult for educators to address these behaviors promptly in the classroom. The updated student discipline rules are designed to reduce unnecessary bureaucracy and better support timely, effective responses to student behavior—helping educators maintain safe, supportive learning environments for all students.

26. Do the new student discipline rules require an attempt to support the student in meeting behavior expectations before excluding them from the classroom or administering a short term in-school suspension?

Yes. Under Washington State's student discipline rules, educators are required to consider alternative options before removing a student from the classroom. These rules refer to "corrective action," which include both disciplinary and non-disciplinary responses taken by a certified educator to address student behavior.

Non-disciplinary corrective actions may include evidence-based interventions and supports designed to help students meet behavioral expectations. These supports are outlined in state laws ([RCW 28A.410.270](#), [28A.405.100](#), and [28A.410.260](#)) and may include strategies like behavior coaching, social emotional learning supports, or positive behavior interventions.

Except in emergency situations, teachers must first try one or more of these alternative corrective actions before excluding a student from the classroom.

27. Are schools required to inform parents if students are removed from school?

Under the updated student discipline rules, the specific requirement for schools to notify parents or guardians when a student is removed from a classroom has been removed. Instead, notification protocols fall to local school board's authority to determine what communication practices best meet the needs of their students, families, and communities. School boards play a critical role in fostering meaningful engagement with families and community members on matters related to student discipline. By partnering with families and school staff to make informed, collaborative decisions, school boards can help ensure that discipline policies are clear, effective, and reflective of community values—reducing confusion and building trust. However, emergency removals must comply with the requirements of WAC [392-400-510](#) through [530](#), which include notice to students and parents. Similarly, district policies for classroom exclusions must require notice under WAC [392-400-335](#).

28. Can parents request an appeal for suspension or expulsion?

Yes, under [WAC 392-400-465 – Appeal Process](#) parents, guardians, and students have the right to appeal against a suspension or expulsion decision. An appeal may be submitted orally or in writing to the school district's superintendent or their designee. The appeal must be requested **within five school business days** from the date the written notice of suspension or expulsion was received.

Once your appeal is received, the district will schedule a hearing and provide you with:

- The date, time, and location of the hearing.
- Information about your rights, including access to records and evidence.
- An opportunity to participate in a reengagement meeting, which focuses on supporting the child's return to school.

Additionally, a request for a review and reconsideration of the appeal decision is allowed under [WAC 392-400-470](#), and must be requested **within ten school business days** from the date the school district provides the written appeal decision to the student and parents.

Additional Resources & Contact information

Governor's Office of the Education Ombuds (OEO) – School Discipline

If unresolved policy issues are still impacting your child, consider seeking help to ensure their needs are addressed.

StudentDiscipline@k12.wa.us

For other questions and concerns not covered in this document, please contact our shared inbox for help.