



Treehouse Tips: School Discipline Part 1 - General Overview

Youth experiencing foster care are subject to disproportionately higher rates of school discipline than their peers. This heightened rate of discipline increases the educational instability already faced by students experiencing foster care. Moreover, frequent school disciplinary actions can destabilize living situations, contributing to further placement and educational disruptions. Therefore, it is crucial for those involved in supporting these youth to be well-versed in disciplinary laws and policies.

Understanding these regulations ensures that students and their parents/caregivers are aware of their rights, ultimately helping to mitigate the adverse effects of school disciplinary actions.

District Policies: Each school district's discipline policies must comply with state laws, such as those in the Washington Administrative Code (WAC), which is referenced throughout this tip sheet. For specific district policies, refer to the district website or contact the school directly for a copy.

Students with Disabilities: There are specific provisions that protect students with disabilities in certain discipline situations. For more information, refer to the tip sheet titled "School Discipline Part 2" for information about specific protections for youth with disabilities.

Types of Disciplinary Action:

- **Classroom Exclusion:** a student is excluded from a classroom or instructional or activity area for behavior violations that disrupt the educational process. As explained in [WAC 392-400-330](#), this type of exclusion may be administered for any portion of the school day. However, if a student is excluded for longer than a school day, the school must provide written notice and due process for a suspension, expulsion, or emergency expulsion.
- **Short-term suspension:** a student is excluded from school for no more than 10 consecutive school days. Additionally, as explained in [WAC 392-400-435](#), state law limits the total number of days that students in specific grade levels can be suspended -- students in grades K-4 cannot be suspended for more than 10 cumulative school days during any academic term, and students in 5th-12th grade cannot be suspended for more than 10 cumulative school days per trimester or more than 15 cumulative school days per semester.
- **In-School Suspension:** a student is excluded from their regular educational setting but remains in their current school placement for up to 10 consecutive school days. The same conditions and limitations outlined in [WAC 392-400-430](#) for suspensions also apply to in-school suspensions.

- *Emergency Removal (or emergency expulsion)*: a student is immediately removed from school either because their presence poses an immediate and continuing danger to other students or school personnel, or there is an immediate and continuing threat of material and substantial disruption of the educational process. As explained in [WAC-392-400-510](#), emergency removals must end or be converted to another form of corrective action, such as a suspension, within 10 school days from the date of the removal.
- *Long-term suspension*: a student is excluded from school for more than 10 consecutive school days. As described in [WAC 392-400-440](#), a long-term suspension may not exceed the length of a semester or trimester and cannot continue into the following school year. Students in grades K-4 cannot receive a long-term suspension, with the exception of a firearms violation.
- *Expulsion*: a denial of admission to the student's current school placement in response to a behavioral violation. According to [WAC-392-400-445](#), an expulsion may last for a period up to, but not longer than, the length of an academic term. The two exceptions to this limit are firearms violations and those few cases in which the district superintendent approves a petition to extend the length of the expulsion for public health and safety reasons.

Access to School Work during a Disciplinary Removal: Students experiencing disciplinary removal are still entitled to their education. Therefore, if a student is excluded or removed from class, they must be allowed to make up missed assignments and tests that occurred while they were out of the classroom. While a student is suspended or expelled, the school district must provide them with the opportunity to receive educational services during that period. This may be done through an alternative educational setting, such as an alternative high school, one-on-one tutoring, or online program. The school should give written notice to parents/caregivers about the educational services the district will provide. The district must also provide any necessary technology, transportation, or resources the student needs to fully participate in these services. More information on the district's responsibilities is outlined in [WAC 392-400-610](#).

Appeals and Re-admission: A student or parent/caregiver may request an appeal of any disciplinary action, usually within a specified timeframe. State law [WAC 392-400-465](#) outlines the provisions for an appeal and should be included in the disciplinary documents provided to the parent/caregiver. Petitions for re-admission, as explained in [WAC 392-400-430](#), may be submitted at any time during the exclusion.

Re-engagement Meetings: If a student has been expelled or suspended long-term, the district must arrange a re-engagement meeting with the student and their parent/caregiver within 20 days of the beginning of the exclusion. At this meeting, the team should discuss shortening the length of the exclusion, determine appropriate academic and nonacademic supports, and develop an official re-engagement plan tailored to the student's individual circumstances. As described in [WAC 392-400-710](#), this plan must be documented, and a copy needs to be given to the student and parent/caregiver.

Frequently Asked Question (FAQ):

If a school calls a parent/caregiver to pick a student up early from school for behavioral reasons, is that disciplinary action? Yes, this is technically a short-term suspension and needs to be documented as such. If kept “off the record” students can end up experiencing more exclusionary discipline than is legally allowed in a school year, as explained in [WAC 392-400-435](#). For youth experiencing foster care, this becomes even more difficult to prevent when there is not a paper trail to follow them from school to school. Moreover, when disciplinary actions are not documented properly, it becomes harder for students to qualify for additional support because there is no data to prove that it is warranted.

Make a referral for Educational Advocacy!



For assistance navigating a school discipline concern, make a referral to Treehouse’s advocacy program! To qualify for Educational Advocacy, youth must have an open dependency or have shelter care status. Scan the QR code or click the link below to complete the referral process:
<https://referrals.treehouseforkids.org/>