

# WHAT DOES OUR CONTRACT SAY?

Student Discipline  
Contract Article 31



**TUMWATER**  
EDUCATION ASSOCIATION

# **SECTION A: MAINTAINING ORDER AND DISCIPLINE OF STUDENTS**

- Safety of students and teachers shall be the first priority of the District
- Employees shall assume the responsibility for maintaining an atmosphere that will serve to prevent undesirable conduct
- District shall support and assist all employees in maintaining control of students

# **SECTION A: MAINTAINING ORDER AND DISCIPLINE OF STUDENTS**

- District and building policies shall comply with current laws of the State of Washington, including all laws regarding students with special needs**
- Policies shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained**
- Highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere**
- Disruption caused in the classroom by a student's behavior shall be given due consideration when imposing student discipline**

# SECTION B: STUDENT DISCIPLINE RECORDS

## 1. Record Keeping

- Buildings keep records to comply with state law

## 2. Student Discipline Records Access

- District shall advise employees when a student is a safety threat



# SECTION C: ENFORCEMENT OF STUDENT DISCIPLINE

## 1. Exclusions by Teacher

- Attempt one or more alternative forms of corrective action
- Right to remove student from class
- Necessary to maintain order or discipline
- Corrective action not required in emergency circumstances



# SECTION C: ENFORCEMENT OF STUDENT DISCIPLINE

- Excluded student may not return for the class period, or up to two days, without teacher consent or conference between principal and teacher WAC 392-400-330(3)
- Principal and teacher conference in-person, phone, or email
- Students excluded longer for repeated disruptions
- Subject to student due process rights



# SECTION C: ENFORCEMENT OF STUDENT DISCIPLINE

## 2. Communication of Disciplinary Action

- Principal communicate in a timely manner
- Discipline action taken by principal
- Communication prior to student returning to teacher



# SECTION D: DISCIPLINE OF SPECIAL EDUCATION STUDENTS



- Disruption of regular or special education classroom
- Educational process significantly impaired
- Student removed in accordance with District Policies and Procedures
- Discipline consistent with IEP or behavior plan

# SECTION D: DISCIPLINE OF SPECIAL EDUCATION STUDENTS



- Students may not be removed more than 10 school days in a row or 10 school days in a year without a manifestation determination meeting.
- Manifestation determination meeting required after more than 10 days.
- Exceptions to the 10 days rule are weapons, illegal drugs, or serious bodily injury.
- Students may be removed up to 45 school days regardless of behavior being a manifestation of a disability.

# SECTION E: SUPERVISION OF STUDENTS



- Students attending school, or any school function, must be supervised during all hours
- Employee legally responsible for supervision of assigned student group
- Employee responsible for supervising any student not properly supervised
- Employee responsible for reporting situation to immediate supervisor

# SECTION F: DISTRICT POLICY



District, or subgroup, may not pass or maintain policy which conflicts with employee responsibility to maintain student discipline

# SECTION G: DEVELOPMENT AND REVIEW OF BUILDING DISCIPLINE STANDARDS

## 1. Building Level

- Principal and certificated employees confer at least annually
- Develop and/or review building disciplinary standards
- Develop and/or review uniform enforcement of those standards



# SECTION G: DEVELOPMENT AND REVIEW OF BUILDING DISCIPLINE STANDARDS

## 2. District Level

- District and Association develop and/or review building disciplinary standards
- District and Association develop and/or review uniform enforcement of those standards
- Meeting shall occur on or before September 30 each year
- Standards consistent with contract, applicable statutes, and not enroached upon by Board policy or action



# SECTION H: EXPECTATIONS OF EMPLOYEES IN PHYSICAL CONFRONTATIONS

- Employees responsible to ensure safe and secure environment for students
- Employees not expected to place themselves in harm's way
- Employees expected to use best professional judgment about what action to take based on their own capabilities, their level of training and confidence, and the situation they are facing



# SECTION I: ASSAULT



1. Defined in the District Handbook or District Policy or State law

Revised Code of Washington: Assault

2. District will take necessary and reasonable steps to protect employees who are the subjects of assaults consistent with school district policies and state law

TSD Policy 3240 Student Conduct

TSD 3240P Procedure Student Conduct

TSD Policy 3241 Student Discipline

TSD 3241P Procedure Student Discipline

# SECTION I: ASSAULT



## **TSD Procedure 3240P Student Conduct**

### **Extortion, Assault or Causing Physical Injury**

A student shall not extort anything of value, threaten injury 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.

# SECTION I: ASSAULT



3. Student who assaults a teacher shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned

WAC 392-400-810

RCW 28A.600.460(2)

- Students charged with a criminal offense under this provision will be so removed at least until the charges are resolved
- Principal will follow building discipline procedures for assault
- Teacher may refer student to Student Support Team
- Principal or Student Support Team will create or revise behavior contract when appropriate

# SECTION I: ASSAULT



**4. Principal shall follow building discipline procedures for assault and communicate actions to employee assaulted**

**The affected employee may:**

- Meet with supervisor within two days of assault incident**
- Meet with Superintendent after meeting with supervisor**
- Meet with Special Education Director within two days of assault incident**

# SECTION I: ASSAULT



- Receive access to the Employee Assistance Program
- Access District supports available and appropriate to meet student's needs (i.e. behavior specialists, SRO, counseling support for the class, etc.)
- Initiate the IEP review process for a student receiving special education services
- Receive additional training if requested by the employee

# SECTION I: ASSAULT



- Receive other available assistance as needed at the time of the incident
- Receive leave with pay on the day of the incident which will not be charged to any accumulated leave
- If needed, additional time off may be requested from the Principal in consultation with the Human Resources Department
- Such leave shall not be deducted from sick or personal leave if approved by Human Resources

# SECTION J: THREATS AND HARASSMENT

- Harassment is defined in the District Handbook or District Policy or State law
- District shall take all reasonable steps to prevent harassment of employees
- District shall provide support to staff who experience harassment by community members, parents or guardians
- Principal will work with staff member to develop communication plan upon request



# SECTION J: THREATS AND HARASSMENT

- Plan may include the principal serving as the point of contact with parents/guardians who have engaged in uncivil or harassing behavior toward the staff member
- District will follow Board Policies and Procedures, including 3207 (Harassment) and 5013 [5011] (Sexual Harassment) or any replacement policies regarding this topic



# SECTION K: COMMUNICATION WITH PARENTS



- Without office referral is the employee's responsibility
- With office referral is the Principal's or designee's responsibility
- Principal will consult with the District and teacher to determine communication to parents of the affected students for classroom evacuations or witnessed assaults  
(Board Policy 3240 Student Conduct)

# SECTION K: COMMUNICATION WITH PARENTS



- Communication may be by individual phone calls, robo-call, email, letter, or other means deemed appropriate at the time
- Communication will comply with Family Education Rights and Privacy Act
- Communication may include the impact on instructional time