

Nombre del Estudiante:

Escuela:

Fecha de inicio de la remoción de emergencia:

Section 504

IEP

Esto es para notificarle que su hijo(a) ha sido colocado en un retiro de emergencia con efecto inmediato. Esta remoción de emergencia permanecerá **vigente hasta por diez (10) días escolares consecutivos O hasta que haya sido modificado** por el director de la escuela o designado o a través del proceso de audiencia que se establece a continuación.

La remoción de emergencia debe terminar o convertirse en otra forma de disciplina para esta fecha:

(10 días escolares desde la fecha de inicio)

Su estudiante ha sido removido por violar la Póliza de Arlington School District Board Policy 3241 sobre la Disciplina Estudiantil, ya que representa una amenaza inmediata y continua de interrupción física y sustancial para el proceso educativo.

Violación descrita a continuación:

- De conformidad con el WAC 392-400-510 (copia adjunta), las Escuelas Públicas de Arlington tienen buenas y suficientes razones para creer que su presencia representa un peligro inmediato y continuo para otros estudiantes o personal de la escuela; o una amenaza inmediata y continua de interrupción física y sustancial al proceso educativo.

Servicios Educativos Proporcionados:

- Usted tiene derecho a solicitar una conferencia informal con el Director o la persona designada con el propósito de resolver cualquier queja que pueda tener relacionada a esta acción. La Remoción de Emergencia continuará hasta que acceda al procedimiento de queja.

- Usted tiene el derecho de solicitar una audiencia de apelación de conformidad con Arlington Public Schools Board Procedure 3241P y WAC 392-400-515 hasta 392-400-530 (copia adjunta) con el propósito de impugnar las acusaciones.

- La solicitud de audiencia verbal o por escrito debe recibirse dentro de los tres (3) hábiles escolares siguientes a la recepción de esta noticia. *(Por favor consulte el Calendario de Arlington District para determinar los días hábiles escolares durante el mes.)*

- Para programar una audiencia, por favor comuníquese con District Administration Office al 360-618-6207 o enviar una solicitud por escrito a:

Director of Equity and Student Well Being  
Arlington Public Schools  
315 N French Ave  
Arlington, WA 98223

- Si no se recibe una solicitud de audiencia dentro de los tres (3) días hábiles escolares, se considerará que ha renunciado a su derecho a una audiencia y la suspensión a largo-plazo puede imponerse sin ninguna oportunidad para que usted pueda impugnar el asunto.
- Un estudiante que ha sido removida de emergencia no se le permite estar en la propiedad del distrito escolar, participar o atender cualquier actividad escolar mientras dure la expulsión. El incumplimiento dará como resultado una mayor disciplina.

Le invitamos a ponerse en contacto con nosotros para que podamos intentar un enfoque cooperativo hacia la acción correctiva produciendo un ajuste más positivo y satisfactorio dentro de la escuela

<i>Firma del Administrador</i>	Fecha <input style="width: 150px; height: 20px;" type="text"/>
Nombre <input style="width: 350px; height: 25px;" type="text"/>	Correo electrónico <input style="width: 200px; height: 25px;" type="text"/>
Título <input style="width: 350px; height: 25px;" type="text"/>	Teléfono      —      —

cc: Superintendent's Office; Director of Equity and Student Well Being; Executive Director of Teaching & Learning; Executive Director of Human Resources; Director of Special Education (Special Education Only); Transportation Department

Las Leyes del Estado de Washington no están disponibles en otros idiomas distintos del inglés.

**WAC 392-400-510**

**Emergency expulsions --Conditions and limitations.**

- A school district may immediately remove a student from the student's current school placement, subject to the following requirements:
- (1) **Sufficient cause.** The school district must have sufficient cause to believe that the student's presence poses:
    - (a) An immediate and continuing danger to other students or school personnel; or
    - (b) An immediate and continuing threat of material and substantial disruption of the educational process.
  - (2) **Determination of immediate and continuing threat of disruption.** For purposes of this section, an immediate and continuing threat of material and substantial disruption of the educational process means:
    - (a) The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
    - (b) School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.
  - (3) **Time limit.** An emergency expulsion may not exceed ten consecutive school days. An emergency expulsion must end or be converted to another form of discipline within ten school days from the start of the emergency expulsion.
  - (4) **Conversion.** If a school district converts an emergency expulsion to a suspension or expulsion, the district must:
    - (a) Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and
    - (b) Provide the student and parents notice and due process under WAC 392-400-430 through 392-400-480.
  - (5) **Reporting.** All emergency expulsions, including the reason the student's presence poses an immediate and continuing danger to other students or school personnel, must be reported to the district superintendent or designee within twenty-four hours after the start of the emergency expulsion.

[Statutory Authority: RCW 28A.600.015 and 28A.600.020. WSR 19-12-050, § 392-400-510, filed 5/31/19, effective 7/1/19. Statutory Authority: RCW 28A.600.015, 28A.600.020 and 28A.600.010 through 28A.600.022, 28A.320.211. WSR 18-16-081, § 392-400-510, filed 7/30/18, effective 7/1/19.]

## **WAC 392-400-515**

### **Emergency expulsions—Notice to student and parents.**

- (1) **Initial notice.** After an emergency expulsion, the school district must attempt to notify the student's parents, as soon as reasonably possible, regarding the reason the district believes 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.
- (2) **Written notice.** Within twenty-four hours after an emergency expulsion, a school district must provide written notice of the emergency expulsion to the student and parents in person, by mail, or by email. The written notice must include:
  - (a) The reason the student's presence poses an immediate and continuing danger to students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;
  - (b) The duration and conditions of the emergency expulsion, including the dates on which the emergency expulsion will begin and end;
  - (c) The opportunity to receive educational services during the emergency expulsion under WAC 392-400-610;
  - (d) The student's and parents' right to an informal conference with the principal or designee under WAC 392-400-520; and
  - (e) The student's and parents' right to appeal the emergency expulsion under WAC 392-400-525, including where and to whom the appeal must be requested.
- (3) **Language assistance.** The school district must ensure the initial and written notices required under this section are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

[Statutory Authority: RCW 28A.600.015, 28A.600.020 and 28A.600.010 through 28A.600.022, 28A.320.211. WSR 18-16-081, § 392-400-515, filed 7/30/18, effective 7/1/19.]

## **WAC 392-400-520**

### **Emergency expulsions—Optional conference with principal.**

- (1) **Requesting a conference.** If a student or the parents disagree with the school district's decision to administer an emergency expulsion, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
- (2) **Time limit.** The principal or designee must hold the conference within three school business days after receiving the request, unless otherwise agreed to by the student and parents.
- (3) **Conference.** During the informal conference, the principal or designee must provide students and parents the opportunity to share the student's perspective and explanation regarding the events that led to the emergency expulsion.
- (4) **Language assistance.** The school district must ensure the conference is held in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.
- (5) **Right to appeal.** An informal conference must not limit a student's or parents' right to appeal the emergency expulsion under WAC 392-400-525. [Statutory Authority: RCW 28A.600.015, 28A.600.020 and 28A.600.010 through 28A.600.022, 28A.320.211. WSR 18-16-081, § 392-400-520, filed 7/30/18, effective 7/1/19.]

## **WAC 392-400-525**

### **Emergency expulsions—Appeal.**

- (1) **Requesting an appeal.** A student or the parents may appeal an emergency expulsion to the school district superintendent or designee orally or in writing.
- (2) **Time limit.** A school district may establish a time limit to appeal an emergency expulsion. Appeal time limits must be no less than three school business days from the date the school district provides the written notice of the emergency expulsion.
- (3) **Notice.** Within one school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the superintendent or designee must provide the student and parents written notice in person, by mail, or by email of:
  - (a) The time, date, and location of the appeal hearing;
  - (b) The name(s) of the official(s) presiding over the appeal;
  - (c) The student's and parents' rights to inspect the student's education records under subsection (6) of this section;
  - (d) The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing under subsection (6) of this section; and
  - (e) The student's and parents' rights under subsection (7) of this section.
- (4) **Appeal hearing.** The school district must hold an appeal hearing as soon as reasonably possible, but no later than two school business days after the date the superintendent or designee received the appeal request, unless otherwise agreed to by the student and parents.
- (5) **Presiding official(s).** The school board may designate the superintendent, a hearing officer, or a discipline appeal council, if established under WAC 392-400-475, to hear and decide appeals under this section. The presiding official(s) may not be involved in the student's behavioral violation or decision to emergency expel the student and must be knowledgeable about the rules in this chapter and of the school district's discipline policies and procedures.

**(6) Evidence and witnesses.**

(a) Upon request, the student, parents, and school district may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The school district, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

(b) Upon request, the student and parents may review the student's education records. The school district must make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

(c) If a witness for the school district cannot or does not appear at the appeal hearing, the presiding official(s) may excuse the witness's nonappearance if the district establishes that:

(i) The district made a reasonable effort to produce the witness; and

(ii) The witness's failure to appear is excused by fear of reprisal or another compelling reason.

**(7) Student and parent rights.** The student and parents have the right to:

(a) Be represented by legal counsel;

(b) Question witnesses;

(c) Share the student's perspective and provide explanation regarding the events that led to the emergency expulsion; and

(d) Introduce relevant documentary, physical, or testimonial evidence.

**(8) Recording of hearing.** The appeal hearing must be recorded by analog, digital, or other type of recording device. The school district must provide the recording to the student or parents upon request.

**(9) Appeal decision.** The school district must provide a written decision to the student and parents in person, by mail, or by email within one school business day after the appeal hearing. The written decision must include:

(a) The findings of fact;

(b) A determination whether the student's presence continues to pose:

(i) An immediate and continuing danger to students or school personnel; or

(ii) An immediate and continuing threat of material and substantial disruption of the educational process.

(c) Whether the school district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the school district converts the emergency expulsion to a suspension or expulsion, the district must provide the student and parents notice and due process under WAC 392-400-430 through 392-400-480; and

(d) Notice of the student's and parents' right to request review and reconsideration of the appeal decision under WAC 392-400-530, including where and to whom to make the request.

**(10) Language assistance.** The school district must ensure that any appeal proceedings, notices, and decisions are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

[Statutory Authority: RCW 28A.600.015 and 28A.600.020. WSR 19-12-050, § 392-400-525, filed 5/31/19, effective 7/1/19. Statutory Authority: RCW 28A.600.015, 28A.600.020 and 28A.600.010 through 28A.600.022, 28A.320.211. WSR 18-16-081, § 392-400-525, filed 7/30/18, effective 7/1/19.]

### **WAC 392-400-530**

#### **Emergency expulsions—Review and reconsideration.**

**(1) Requesting review.** The student or parents may request that the school board or discipline appeal council, if established under WAC 392-400-475, review and reconsider the school district's appeal decision under WAC 392-400-525. The student or parents may request the review orally or in writing.

**(2) Time limit.** A school district may establish a time limit for parents and students to request a review under this section. The time limit must be no less than five school business days from the date the school district provided the written appeal decision to the student and parents under WAC 392-400-525.

**(3) Review procedure.**

(a) In reviewing the school district's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the events that led to the emergency expulsion, any records from the appeal under WAC 392-400-525, relevant state law, and the district's discipline policy adopted under WAC 392-400-110.

(b) The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.

(c) The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the events that led to the emergency expulsion, the decision to emergency expel the student, or the appeal decision under WAC 392-400-525. If the discipline appeal council presided over the appeal under WAC 392-400-525, the decision must be made by the school board.

**(4) Decision.** The school board or discipline appeal council must provide a written decision to the student and parents in person, by mail, or by email within five school business days after receiving the request for review and reconsideration. The written decision must identify:

(a) Whether the school board or discipline appeal council affirms or reverses the school district's decision that the student's presence posed:

(i) An immediate and continuing danger to students or school personnel; or

(ii) An immediate and continuing threat of material and substantial disruption of the educational process.

(b) If the emergency expulsion has not yet ended or been converted, whether the school district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the school district converts the emergency expulsion to a suspension or expulsion, the district must provide the student and parents notice and due process under WAC 392-400-430 through 392-400-480.

**(5) Language assistance.** The school district must ensure that any review proceedings and decision are in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

[Statutory Authority: RCW 28A.600.015 and 28A.600.020. WSR 19-12-050, § 392-400-530, filed 5/31/19, effective 7/1/19. Statutory Authority: RCW 28A.600.015, 28A.600.020 and 28A.600.010 through 28A.600.022, 28A.320.211. WSR 18-16-081, § 392-400-530, filed 7/30/18, effective 7/1/19.]