FUHSD Teacher Class Suspension Process

TEACHER REFERRAL VS. TEACHER CLASS SUSPENSION	
Teacher Referral:	A student is sent out of class for Admin intervention to modify a problematic behavior, with the expectation that once said intervention is complete, **the student is expected back in class**.
Teacher Class Suspension:	A student is sent out of class for Admin intervention to modify a dangerous or problematic behavior **for the remainder of the class period plus the next meeting of the same class period**. The student is not welcome back to class without the agreement of both teacher and Admin.

Before Suspending a Student From Class

Before suspending a student from class, the teacher must have attempted other means of correcting behavior including, but not limited, to those suggested in Ed. Code Section 48900.5 (unless the student presents an immediate danger to persons).

Teachers may suspend students from class only for violations of Ed. Code Section 48900. This means teachers may **not** suspend students from class for cheating, dress code violation, etc. as there is no Ed. Code section that prohibits these behaviors. Teachers may, however, suspend students from class for disrupting school activities or willfully defying school authorities (Ed. Code Section 48900(k)).

FUHSD Teacher Class Suspension Instructions

1) The teacher **MUST** immediately report the suspension to Admin and send the student to Admin for appropriate action.

2) As soon as possible, the teacher **MUST** provide the Teacher Class Suspension Form (page 2 of this document) to the parent/guardian and to Admin. Email form to parent/guardian and CC Admin.
    a. When completing the Teacher Class Suspension Form, copy/paste the appropriate Ed. Code section from pages 3-4 of this document.

3) The Teacher Class Suspension Form asks parent/guardian to reply to the teacher to schedule a meeting. If practical, a school counselor or school psychologist may attend this meeting. On request of the teacher or the parent/guardian, an Admin must attend this meeting.

4) The student will be removed for the remainder of that class period plus the next meeting of the same class period. Student will not be returned to class during the term of the teacher class suspension without the agreement of the teacher and Admin, nor will the student be placed in any other class during that class period.

5) The student will attend their other class periods as normal, *including any other classes they may have with the suspending teacher*.

FREMONT UNION HIGH SCHOOL DISTRICT

Cupertino High School | Fremont High School | Homestead High School | Lynbrook High School | Monta Vista High School | Adult School

FUHSD Teacher Class Suspension Form

Student Name _____ ID Number _____ Gr_____

Teacher _____ Course_____ Period _____

Date of Suspension from Class _____ 2nd Day of Suspension from Class_____

Return to Class Date _____ IEP ☐ Yes ☐ No 504 ☐ Yes ☐ No

Dear Parent/Guardian:

This notice is to inform you that your student has been *suspended from class* due to violation of CA Education Code Section(s): *(teacher, cut and paste from list of Ed. Code violations on next pages)*

Brief Description of Incident:

Interventions Attempted Before Suspension From Class *(teacher conference, referral to therapist or counselor, phone call to parent/guardian, etc.)*:

I would like to meet with you and your student to discuss this incident as soon as possible. Please contact me today to set up a time to meet.

Sincerely,

_____ _____

Teacher Name Email Phone

CA Ed. Code Section 48900

48900 (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

48900 (a) (2) Willfully used force or violence upon the person of another, except in self-defense.

48900 (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

48900 (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

48900 (e) Committed or attempted to commit robbery or extortion.

48900 (f) Caused or attempted to cause damage to school property or private property.

48900 (g) Stole or attempted to steal school property or private property.

48900 (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.

48900 (i) Committed an obscene act or engaged in habitual profanity or vulgarity.

48900 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

48900 (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

48900 (l) Knowingly received stolen school property or private property.

48900 (m) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

48900 (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

48900 (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

48900 (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

48900 (r) Engaged in an act of bullying.
[note that this Ed. Code section is actually very complicated. See Admin for assistance if you want to suspend for bullying.]