FAQ - Teachers' Suspension of Students From Their Classrooms

1. What is a suspension?

A suspension is the removal of a pupil from ongoing instruction for behavior modification purposes. A suspension does not mean a reassignment to another educational program or class at the same school, referral to an adviser, or removal from class without sending the student to the principal or designee.

2. Can a teacher suspend a student from their class?

Yes, California Education Code section 48910 states, "[a] teacher may suspend any pupil from class, for any of the acts enumerated in [Education Code] Section 48900, for the day of the suspension and the day following."

3. How is a referral different from a suspension?

A teacher referral is when a teacher sends a student out of class for an intervention, with the expectation that the student will be allowed to return to class once the intervention has been completed. A student can receive a referral for any reason and at any time. A teacher referral is different from a teacher suspension, which can only occur for CA Ed. Code § 48900 violations.

4. For what can a teacher suspend a student from their class?

A student may be suspended from class for the same reasons as a regular suspension. (Ed. Code § 48900.) A complete list of suspendable offenses is included in Administrative Regulation 5144.1 and linked in item 2 of this document.

5. When can a teacher suspend a student from class?

A suspension from class can only occur after a teacher has attempted progressive means of correcting a student's behavior. Other means of correction are listed in Ed. Code § 48900.5.

6. For how long can a teacher suspend a student from their class?

For the class period of the class suspension and the next time the class meets immediately following the class suspension. (Maximum of two class periods.)

7. What is a teacher required to do if they suspend a student from their class?

A. The teacher shall immediately send the student to the office and report the suspension to the principal or designee.

B. By the end of the school day in which the incident and class suspension occurred, the teacher shall issue a notice of classroom suspension to the student's parent/guardian and must ask the parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the

conference if it is practical, and a school administrator shall attend if the parent/guardian or teacher requests.

C. By the end of the school day in which the incident and class suspension occurred, the teacher must also submit the Teacher Class Suspension form to the administrator.
D. Climate Office/Climate Administrator is responsible for documenting suspension in IC.

8. Can the principal deny a teacher's suspension of a student from their class?

Teachers have a right to suspend a pupil from their class as long as the pupil's suspension derives from the acts enumerated in Ed. Code § 48900 and the teacher has previously implemented other means of correction as specified in Ed. Code. Teachers *may* suspend from class on a first offense if a student presents a danger to persons.

9. After a teacher suspends a student from their class, must the student leave campus?

The student must not leave campus until dismissed by an administrator. A teacher may *recommend* to administration that the student should be considered for a school site suspension, however, a teacher does not have the authority to issue a school site suspension.

10. Can a student who has been suspended from a class, return to the class during the suspension period?

During the period of suspension, a student shall not return to the class from which they were suspended, unless the teacher of the class and the principal or designee agree to return the student to class.

11. Can a student who has been suspended from a class, be sent to another classroom during the suspension period?

No. A student who has been suspended from a class shall not be placed in another regular class during the period of suspension. However, if the student is assigned to more than one class per day, the student may attend their other classes at their designated times. For example, a student suspended from their first period class cannot attend their first period class or any other first period class; however, the student may attend the remainder of the periods throughout the day.

12. Where does a student go when they are suspended from a class?

Upon initial suspension, the student must be sent directly to the principal or designee. The principal or designee will determine the appropriate supervision for the student during their classroom suspension.

13. Can a teacher suspend a student with an IEP or Section 504 plan from their class?

Yes; however, it may be appropriate to consult with the student's IEP Case Manager or Section 504 Coordinator prior to removing the student from class. For purposes of determining days of removal for purposes of conducting a manifestation determination for students with IEPs or 504 Plans, a day of suspension from class by a teacher, even if for one class period of a school day, counts as 1/2 day of removal, the same as for all students.

14. Is the student allowed to make up assignments and tests?

Yes. The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal.

15. What attendance code is used for Teacher Class Suspensions? TCS (Teacher Class Suspension).