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School Discipline Information and Resources

Sending a student home from school does not address the root cause of a student's behavior. It removes students from the learning environment and has a disproportionate negative impact on African American students and other marginalized groups.

This guidance addresses the legal requirements and recommended best practices governing discipline practices. The guidance itself is non-binding and does not have the effect of law.

State Guidance for New Laws on Discipline

As we now know, suspension can do more harm than good. Sending a student home from school does not address the root cause of a student's behavior; it removes students from the learning environment; and it has a disproportionate impact on African American students and students with disabilities, among other marginalized groups that are underperforming academically and overrepresented in our criminal justice system. Legislation in recent years, reflecting extensive research, has sought to minimize the use and impact of suspension. The state's accountability system reports suspensions and incentivizes minimizing the use of punitive discipline. With this guidance, we update the field about recent legislative changes and suggest alternatives to suspension and other punitive practices. Great work is happening in this area by educational leaders committed to dismantling the school-to-prison pipeline through the implementation of Multi-Tiered System of Supports (MTSS), positive behavior intervention systems, implicit bias training, restorative practices, and engaging academics. Research has established that systemwide implementation of these practices will lead to improved academic outcomes and long-term postsecondary success for all students, particularly our highest-need students.

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State Law and Suspension and Expulsion

Recent legislation was enacted to prevent students from losing learning opportunities for disciplinary reasons.

Ending Suspensions for Willful Defiance in Grades Kindergarten Through Twelve

Research indicates that students of color; students with disabilities; and lesbian, gay, bisexual, transgender, queer, intersex, and asexual students are more likely to be suspended for low-level subjective offenses such as willful defiance and disruption. In response to these equity issues and the general concern that suspension can do more harm than good, in 2013, the Legislature approved Assembly Bill 420, which amended California *Education Code (EC) Section 48900(k)* [🔗](#) to prohibit students from being suspended or recommended for expulsion on willful defiance or disruption grounds for students in grades kindergarten through three. According to data collected by the California Department of Education (CDE), suspensions for willful defiance significantly decreased upon passage of this measure. In 2019, the Legislature extended this prohibition on suspension to students in grades four through eight and for expulsion for kindergarten through grade twelve through Senate Bill 419. In 2023, [SB 274](#) [🔗](#) expanded the prohibition to cover all of kindergarten through grade twelve for both suspension and expulsion.

In all of these instances, the only exception has applied to suspension by a teacher from the classroom per *EC Section 48910* [🔗](#). However, SB 274 also added that a certificated or classified employee may refer a pupil to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of *EC Section 48900.5* for willful defiance or disruption. SB 274 further required that, for such a referral, a school administrator shall, within five business days, document the actions taken and place that documentation in the pupil's record to be available for access, to the extent permissible under state and federal law, pursuant to *EC Section 49069.7*. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

Homework for Students Suspended for Two or More Days

[AB 982](#) [🔗](#), also enacted in 2019, requires local educational agencies (LEAs), including charters, to provide homework assignments to students upon the request of the parent, guardian, or student during a suspension of two or more school days.

In recent years there have been other statutory provisions designed to limit the use of suspensions and promote alternatives to suspension. These provisions aim to address the root causes of the student's behavior and to improve academic outcomes.

Minimize Suspension for Attendance Issues

EC Section 48900(w)(1) [🔗](#) states that a suspension or expulsion shall not be imposed against a pupil based solely on the fact that they are truant, tardy, or otherwise absent from school activities.

Instead of Suspension, Support

EC Section 48900(v) [🔗](#) provides that a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age-appropriate and

designed to address and correct the pupil's specific misbehavior as specified in *EC* Section 48900.5.

EC [Section 48900\(w\)\(2\)](#)  adds that it is the intent of the Legislature that MTSS, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, be used to help students gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

Suspension as a Last Resort

EC [Section 48900.5](#)  provides that, except for specified exceptions, suspension, including supervised suspension, shall be imposed only when other means of correction fail to bring about proper conduct, and then continues to provide an extensive list of suggested positive, non-exclusionary alternative practices. Other means of correction may include additional academic supports, to ensure, for example, that instruction is academically appropriate, culturally relevant, and engaging for students at different academic levels and with diverse backgrounds.

EC Section 48900.5 also specifically provides that, for a pupil who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, local educational agencies are encouraged to have both the victim and perpetrator engage in a restorative justice practice that is found to suit the needs of both the victim and the perpetrator. Local educational agencies are encouraged to regularly check on the victim of racist bullying, harassment, or intimidation to ensure that the victim is not in danger of suffering from long-lasting mental health issues. Local educational agencies are encouraged to require perpetrators to engage in culturally sensitive programs that promote racial justice and equity and combat racism and ignorance.

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Positive Practices that Replace Suspension with Support

The sections above reference specific changes in law. The following sections provide links to information about how to implement supportive practices instead of excluding students.

We can keep students in school and hold them accountable. Research on student engagement, academic success, dropout and graduation rates has shown the need to replace punitive discipline practices. Instead of correcting students' behavior and making communities and schools safer, the quick removal methods, such as out-of-school suspension and expulsion, deprive students of the chance to receive the education and help that they need, making it more likely that they will drop out of school, enter the criminal justice system, and place their future options in jeopardy. There is a much better way to hold students accountable and keep schools safe. We also need to recognize that sometimes students' valid goals, values, challenges and pains that deserve respect are expressed in a manner that may be problematic for the student and others. We need to respond

respectfully to these underlying causes. Collectively, we must do more to reverse the reality that our most vulnerable students are disproportionately removed from their classes. Research on student engagement, academic success, dropout, and graduation rates has shown the need to replace punitive discipline practices with targeted student supports such as those referenced in state law above. The CDE and the CDE's partner, the California Collaborative for Educational Excellence (CCEE), as well as many other experts throughout the state in California's broad systems of supports, are your partners in establishing and strengthening LEA and school-level networks of support. Key resources include the following:

Behavioral Intervention Strategies and Supports

The CDE [Behavioral Intervention Strategies and Supports web page](#) outlines where LEAs and schools can learn about Fix School Discipline, suspension data on DataQuest and the California School Dashboard, and Restorative Justice programs. These practices and policies that many schools and districts are putting in place to address discipline issues proactively support students whose behaviors may signify a call for help.

Positive Alternatives to Problematic Behaviors: Building Bridges Through Preventive and Restorative Practices

Students sometimes express their respectable and valid goals, values, challenges and pain through problematic behaviors. This PowerPoint presentation and facilitated discussion will identify activities and social-emotional learning that support prevention and provide positive, viable alternatives to problematic behaviors. We can highlight and provide these opportunities for students to experience – often led by students. This approach is a key alternative to punitive, exclusionary practices!

- [Positive Alternatives to Problematic Behaviors: Building Bridges through Preventive and Restorative Practices](#) (PPTX; Updated 14-Jul-2026)

Multi-Tiered System of Supports

The CDE [MTSS web page](#) provides a research-proven framework aligned to address students' academic, behavior, and social success. It brings together the Response to Instruction and Intervention and Positive Behavioral Interventions and Supports to support the whole child through a data-driven tiered approach to academic and social emotional supports. An MTSS approach can ensure instruction and interventions meet student needs, to address the reality that African American students and students with disabilities—two of the groups most often suspended—have lower literacy and math scores than other ethnic groups and students without disabilities.

Mental Health

The CDE [Mental Health web page](#) includes strategies, resources, and training in psychological and mental health issues, including coping with tragedy, crisis intervention and prevention, school psychology, and suicide prevention.

Attendance Improvement

The CDE [Attendance Improvement web page](#) provides resources to address attendance improvement through prevention, early identification, and intervention instead of using punitive discipline.

Asset-Based Pedagogies

The CDE [Asset-Based Pedagogies web page](#) has resources on culturally relevant and sustaining pedagogies, which focus on the strengths that diverse students bring to the classroom and school community. These approaches engage all learners through curriculum that connects to students' cultural and linguistic identities. Asset-Based Pedagogy is also a key feature in California's State Literacy Plan, and aligned literacy resources are available on the [California Educators Together Comprehensive Literacy State Development Grant Resource Repository web page](#) .

Addressing Bias

Addressing bias of educators is an important piece of the puzzle. In 2019–20, African American students made up 5.4 percent of public school students in California but comprised 15 percent of students who were suspended. Evidence shows that this is not because of worse behavior, but because of harsher treatment for minor offenses such as talking in class and other nonviolent behavior. LEAs are encouraged to invest in implicit bias training for their educator workforce: [News Release: State Superintendent Tony Thurmond Launches New "Education to End Hate" Initiative to Combat Bias, Bigotry, and Racism](#) (Dated 21-Sep-2020).

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Equity

The CDE [Equity web page](#) provides resources, tools and promising practices regarding how ensuring equity in education is a necessary component in narrowing the achievement gap through fair outcomes, treatment, and opportunities for all students. Teachers and school leaders ensure equity by recognizing, respecting, and attending to the diverse strengths and challenges of the students they serve. High-quality schools are able to differentiate instruction, services, and resource distribution to respond effectively to the diverse needs of their students, with the aim of ensuring that all students are able to [learn and thrive](#).

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Data-Driven Continuous Improvement to Strengthen Supports

Our state's focus on equity means addressing students' holistic needs, whether they are struggling with trauma, disability, or the effects of socio-economic disadvantage. Since the passage of the [Local Control Funding Formula](#), the state has engaged in the data-driven continuous improvement process, with actions to address student needs informed by robust stakeholder input and thorough root-cause analysis. Tackling suspensions is part of this framework, with suspension data reported in the [California School Dashboard](#) and school climate as one of the eight state priorities. Every

year, school and district communities should consult their suspension data and analyze the underlying causes and adjust programming as needed to better support students, especially students of color disproportionately impacted by unneeded suspensions.

Our partners at [CCEE](#)  are also resources in the System of Support.

The CDE [Local Control Accountability Plan web page](#) includes references to the eight state priorities, the continuous improvement process, stakeholder engagement, and the whole child resource map.

When behavior related intervention and support plans are being implemented, sometimes in a different, specialized educational placement, it is important to be able to measure and document progress. We suggest consideration of the following framing questions:

- How does the school evaluate the effectiveness of its educational program, both on an ongoing basis and as measured over time? What procedures are used to determine what is working and what needs to be improved (e.g., formal and informal data including student, staff, family and other educational partners' input, and other examples)? This includes information about students and also systemic practices.
- How does the school measure and record ongoing value-added academic, social and emotional progress, on an individual basis compared to from before the student entered this school, and throughout their participation in the school? How are these individual student level findings also compiled as measures of the value added within the school?
- How do staff use these objective and formative data to support instructional and school culture improvement, and how this information is shared with the student, family members, school staff, district, educational partners, and community members?

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Reducing Disproportionate Discipline in Schools

In a [news release issued on February 15, 2023](#), Superintendent Thurmond outlined efforts to stem the rise of disproportionate discipline while providing support to students when they need it most. Reports indicate that discipline rates have increased in recent times, especially for African American and Native American students and students with disabilities. Superintendent Thurmond's efforts will include guidance to LEAs, webinars to highlight best practices in reducing disproportionate suspensions, and a tip line anyone can use to report incidents of districts engaging in disciplinary practices that violate *EC* or mask the actual rate of discipline. "We have to educate our kids—not incarcerate them—and provide them with opportunities for learning and to succeed," Thurmond said. "Taking students out of learning time through suspensions and expulsions is proven to push them toward the criminal justice system. School districts trying to hide actual discipline rates through practices such as masking expulsions as transfers will not be tolerated. "Amid reports that some districts have pushed families toward voluntary or involuntary transfer to avoid reporting expulsions,

Superintendent Thurmond and the CDE established a tip line. This can be used by school staff, parents, students, or community members to report any district involved in practices to mask the use and reporting of discipline or to report disciplinary practices that violate *EC*, and the CDE will look into these matters. Anyone who wants to report school discipline practices that violate *EC* can call 916-445-4624 or email SchoolDiscipline@cde.ca.gov.

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Addressing Disproportionate Discipline in Schools Webinar

The CDE presented a webinar on March 2, 2023, about keeping children in class, the impact of disproportionate discipline practices on Black, Latino, and Native American children, alternatives to suspension and expulsion, and the importance of following *EC* when using suspension and expulsion. Panelists included:

- Dr. Linda Darling-Hammond, President, State Board of Education
- Dr. Paul Gothold, Superintendent, San Diego County Office of Education
- Chris Chatmon, CEO, Kingmakers of Oakland
- Dr. Ingrid Roberson, Assistant Director of Research Learning, CCEE
- Dr. Darin Brawley, Superintendent, Compton Unified School District

To request a copy of the PowerPoint from the Addressing Disproportionate Discipline in Schools Webinar, please send an email request to SchoolDiscipline@cde.ca.gov.

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