Suspension Authorized

The principal or other appropriate administrator may suspend a student who engages in conduct identified in the Student Code of Conduct as conduct for which a student may be suspended. Education Code 37.005(a)

Maximum Length

A suspension may not exceed three school days. Education Code 37.005(b)

Students Below Grade 3

A student who is enrolled in a grade level below grade 3 may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in:

1. Conduct that contains the elements of an offense related to weapons under Penal Code 46.02 or 46.05;
2. Conduct that contains the elements of a violent offense related under Penal Code 22.01, 22.011, 22.02, 22.021; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
   1. Marihuana or a controlled substance, as defined by Health and Safety Code Chapter 481, or by 21 U.S.C. Section 801 et seq.;
   2. A dangerous drug, as defined by Health and Safety Code Chapter 483; or
   3. An alcoholic beverage, as defined by Alcoholic Beverage Code 1.04.

Education Code 37.005(c)

Positive Behavior Program

A district may develop and implement a program, in consultation with campus behavior coordinators employed by the district [see FO] and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade 3 who engages in conduct described by Education Code 37.005(a) [at Suspension Authorized, above] and is not subject to 37.005(c) [at Students below Grade 3, above]. The program must:

1. Be age-appropriate and research-based;
2. Provide models for positive behavior;
3. Promote a positive school environment;
4. Provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and
5. Provide behavior management strategies including:
   1. Positive behavioral intervention and support;
   2. Trauma-informed practices;
   3. Social and emotional learning;
   4. A referral for services, as necessary; and
   5. Restorative practices.

A district may annually conduct training for district staff on the program adopted.

Education Code 37.0013