

# School - Based Discipline

**What disciplinary actions can a school take against a student?** Depending on the school district and the accusation, school authorities have several disciplinary options, including:

- *Loss of privileges*: Revocation of certain classroom or school privileges.
- *Behavior contract*: Creating a “behavior contract”, usually with input of parent.
- *Detention*: Student stays after school, over a lunch period, or attends Saturday school.
- *In-School Suspension (ISS)*: Student is removed to a separate ISS classroom to do work.
- *Reassignment*: Student reassigned to another teacher.
- *Community service*: Student assigned to school or community service for tasks like trash pickup.
- *Out-of-School Suspension (OSS)*: Student is suspended for a maximum of three days.
- *Disciplinary Alternative Education Program (DAEP)*: Student assigned to an alternative school for a specified period of time;
- *Expulsion*: Student is prohibited from attending school.

Read your school's student code of conduct and review the board policies, which are often available on the school district's website. Contact your school district's central administration if you have questions about how to get this information.

**Do students have the right to challenge the decision?** Many school disciplinary actions can't be challenged, but students have the right to due process of law when facing more serious punishment. Due process includes the right to know the reason for punishment and an opportunity to tell his or her side of the story.

**Disciplinary Alternative Education Program (DAEP) placements:** The principal must schedule a conference within 3 class days after the expulsion, and must give notice to the student and parent of the date, time and location of the conference. The principal should invite the student and parent to attend the conference. In some cases, the teacher who removed the student will also attend. At the conference, the principal will explain the reason for the removal and the student and parent will have a chance to tell their side of the story. If the parent(s) and student do not attend, the conference will be held without them. In some cases, the student or their parent has the right to appeal the decision of the administrator. Students who are assigned to lengthy DAEP placements also have additional rights.

**Expulsion** - If the decision is to expel the student, there must be another hearing with written notice to the parent(s) before the expulsion. The student has the right to be represented at the hearing by a parent, guardian, or lawyer. The student may also present evidence and witnesses for their side, including students and other teachers.

NOTE: for conferences and hearings with school officials,

- Neither the parent nor student is required to provide information about the incident at a conference or hearing. In some cases, it may be best not to – for example, if the student is facing criminal charges for the behavior.
- Students with disabilities may be entitled to additional protections.
- There may be other methods parents and students can use to get the school to address their concerns; for example, by filing a grievance with the school or requesting that records be corrected.

⇒ ***If a student is facing a DAEP placement or expulsion, consider contacting a lawyer.*** TRLA provides free legal assistance to students from low-income households in the TRLA service area. For more information and an online application, go to [www.trla.org/youthrights](http://www.trla.org/youthrights).