

KNOW YOUR RIGHTS!

Student Discipline

A RESTORATIVE DISCIPLINE PLAN

The union contract says every school has to have a written restorative discipline plan, *and* that the plan comply with the contract. The plan must include:

1. Expectations, supportive practices, and responses to student behavior;
2. Responsibility for implementation; and
3. Parental responsibility and support.

The principal must make the plan jointly with the staff and governance team.

RESTORATIVE DISCIPLINE TRAINING

The union contract says SDUSD has to provide ongoing and in-person restorative justice practices training to all SDEA unit members. If you have not received restorative justices practices training "and resources," you cannot be required to implement restorative practices.

THE RIGHT TO SUSPEND FROM CLASS

One of the tools teachers have is the right to suspend a student from the teacher's class for the day of an incident and the following day. The behaviors for which a student can be suspended are [limited, and include](#):

- Disrupted school activities,
- Willfully defied teachers or school personnel,



- Damaged or stole, or tried to damage or steal, school or private property
- Used force or violence, except self-defense,
- Possessed an imitation or real firearm,
- Engaged in bullying (physical, verbal, written, or electronic), and
- Committed an obscene act or habitual vulgarity.

These are also reasons for which a student can be suspended or expelled from school, although the teacher themselves does not have the authority to do that.

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Can't send student to another teacher's class

When a teacher suspends a student, the teacher sends them to the principal or an administrative designee for "appropriate action." A student suspended from a teacher's class cannot be sent to another teacher's class for that period.

The principal's role

The principal or administrative designee has to immediately inform the student's parent of the suspension and that the teacher will contact them to schedule a conference. In addition, the principal or administrative designee has to inform the teacher in writing (in a format determined by the governance team) of the action taken regarding the student before the suspension period is up.

The teacher's role

A teacher who suspends a student *must* ask the parent to attend a conference regarding the suspension. If you (or the parent) requests, a school administrator must attend the conference.

PHYSICAL THREAT OR ASSAULT

The union contract says any student who has caused, attempted to cause, or threatened physical injury to a SDEA member must be referred to the administrator for action under SDUSD's policies. [SDUSD policy](#) says the principal can suspend a student for up to 5 days for these acts.

MUST SUSPEND IN CERTAIN CASES

[Education Code](#) requires that a principal immediately suspend a student *and* recommend expulsion for certain acts, whether at school or at an off-grounds school activity. Those acts include:

- Possesses (if verified by SDUSD employee), sells, or gives someone a gun
- Brandishes a knife at a person
- Commits or attempts to commit sexual assault
- Possesses an explosive
- Selling controlled substance

In addition, SDUSD's policy is that a student who brings a toy or imitation gun to school may be suspended.