

State K-3 Policies

Does the state have policies in place limiting suspension and/or expulsion of K-3 students?

September 2020

At least 17 states have a provision in statute or regulation limiting the suspension or expulsion of students in preschool through third grade. Many of these policies come with various exceptions for specific activities, typically related to school safety.

The following information was gathered from state statutes and regulations only.

To view other data points, click [here](#).

STATE ▲	DOES THE STATE HAVE POLICIES IN PLACE LIMITING SUSPENSION AND/OR EXPULSION OF K-3 STUDENTS?	CITATION
Alabama	Not specified in statute or regulation.	
Alaska	Not specified in statute or regulation.	
Arizona	Students, age 6-16, may not be expelled for excessive absenteeism.	Ariz. Rev. Stat. Ann. § 15-841
Arkansas	Students in K-5 may not be suspended out of school, with exceptions.	Ark. Code Ann. § 6-18-507
California	Students in K-3 may not be suspended.	Cal. Educ. Code § 48900
Colorado	Not specified in statute or regulation.	

STATE ▲	DOES THE STATE HAVE POLICIES IN PLACE LIMITING SUSPENSION AND/OR EXPULSION OF K-3 STUDENTS?	CITATION
Connecticut	Students in prekindergarten-3 may not receive out of school suspensions, with exceptions.	Conn. Gen. Stat. Ann. § 10-233c Conn. Gen. Stat. Ann. § 10-233l
Delaware	Not specified in statute or regulation.	
District of Columbia	Students in prekindergarten may not be expelled or suspended out-of-school, with exceptions. Beginning in school year 2019-2020, for students in grades kindergarten through 5, and school year 2020-2021 for students in grades 6 through 8, no student may be subject to an out-of-school suspension or disciplinary unenrollment, unless a school administrator determines, consistent with school policy, that the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds.	D.C. Code § 38-273.03 D.C. Code § 38-236.04
Florida	Not specified in statute or regulation.	
Georgia	Students in prekindergarten-3 may not be expelled or suspended for more than 5 days during a school year without previous non-punitive intervention, with exceptions.	Ga. Code Ann. § 20-2-742
Hawaii	Not specified in statute or regulation.	
Idaho	Not specified in statute or regulation.	
Illinois	Not specified in statute or regulation.	
Indiana	Not specified in statute or regulation.	
Iowa	Not specified in statute or regulation.	
Kansas	Not specified in statute or regulation.	
Kentucky	Not specified in statute or regulation.	
Louisiana	Students in prekindergarten-5 must not be suspended or expelled for a violation not tied to willful disregard of school policies, with exceptions.	La. Rev. Stat. Ann. 17:416
Maine	Not specified in statute or regulation.	

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Maryland	Prekindergarten-2 students may not be suspended or expelled, with exceptions.	Md. Code Ann., Educ. § 7-305.1
Massachusetts	Not specified in statute or regulation.	
Michigan	Students below grade 6 are not subject to mandatory suspension/expulsion for physical or verbal assault.	Mich. Comp. Laws Ann. § 380.1310 Mich. Comp. Laws Ann. § 380.1311a
Minnesota	Not specified in statute or regulation.	
Mississippi	Not specified in statute or regulation.	
Missouri	Not specified in statute or regulation.	
Montana	Not specified in statute or regulation.	
Nebraska	Not specified in statute or regulation.	
Nevada	Suspensions and expulsions are allowed for pupils age 11 or older. Pupils 10 years of age or younger may not be expelled.	Nev. Rev. Stat. Ann. § 392.467
New Hampshire	Not specified in statute or regulation.	
New Jersey	Students in prekindergarten-2 may not receive an out-of-school suspension or expulsion, with exceptions.	N.J. Stat. Ann. § 18A:37-2a
New Mexico	Not specified in statute or regulation.	
New York	Not specified in statute or regulation.	
North Carolina	Not specified in statute or regulation.	
North Dakota	Not specified in statute or regulation.	

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Ohio	Students in pre-k through grade three may not be suspended out-of-school, with exceptions.	Ohio Rev. Code Ann. § 3313.668
Oklahoma	Students in grades K-5 are not subject to mandatory suspension for assault.	Okla. Stat. Ann. tit. 70, § 24-101.3
Oregon	Students in grade 5 or lower may only be suspended out-of-school or expelled for violations related to physical harm, conduct that poses a direct threat to the health or safety of students or school employees, or legal requirements.	Or. Rev. Stat. Ann. § 339.250
Pennsylvania	Not specified in statute or regulation.	
Rhode Island	Not specified in statute or regulation.	
South Carolina	Not specified in statute or regulation.	
South Dakota	Not specified in statute or regulation.	
Tennessee	Not specified in statute or regulation.	
Texas	Students below grade 3 may not be placed in out-of-school suspension, with exceptions.	Tex. Educ. Code Ann. § 37.005
Utah	Not specified in statute or regulation.	
Vermont	Not specified in statute or regulation.	
Virginia	Students in prekindergarten through grade three may not be suspended for more than 3 days or expelled, with exceptions.	Va. Code Ann. § 22.1-277
Washington	School district may not administer a short-term or in-school suspension for a student in kindergarten through fourth grade for more than ten cumulative school days during any academic term.	Wash. Admin. Code 392-400-435
West Virginia	Not specified in statute or regulation.	
Wisconsin	Not specified in statute or regulation.	

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Wyoming	Not specified in statute or regulation.	