



School Discipline Policies

What limitations are placed on the use of suspension and/or expulsion?

May 2021

At least 15 states and the District of Columbia have restrictions on the use of suspension and/or expulsion for students based on their grade level or age. At least 14 states and the District of Columbia prohibit suspension and expulsion for attendance or tardiness issues.

This data point captures restrictions on the use of suspension and/or expulsion that states have set in policy. To view other data points in this resource, click [here](#). The following information was gathered from state statutes and regulations only.

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Alabama	Not specified in statute or regulation.	
Alaska	Not specified in statute or regulation.	
Arizona	Violation type: Students may not be expelled for excessive absenteeism until they are over the compulsory school age.	Ariz. Rev. Stat. Ann. § 15-841
Arkansas	Grade level: Students in K-5 may not be suspended out of school, with exceptions. Length: Suspensions are a maximum of 10 school days. Expulsions are 10+ school days. Violation type: Students may not be suspended out of school for truancy.	Ark. Code Ann. § 6-18-507

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
California	<p>Grade level: Students in K-3 may not be suspended.</p> <p>Length: The total number of days for which a pupil may be suspended from school shall not exceed 20 cumulative school days in a school year, with exceptions. Students may not be kept in school for more than one hour after the end of school day. Students may not be kept from lunch or recess.</p> <p>Violation type: Non-punitive approaches are required for truancy/absenteeism.</p>	<p>Cal. Educ. Code § 48900 Cal. Educ. Code § 48903 Cal. Code Regs. tit. 5, § 352 Cal. Code Regs. tit. 5, § 353</p>
Colorado	<p>Disability status</p> <p>Grade level: no suspension/expulsion of students in preschool through 2nd grade, except in cases of weapon possession, drug use/possession, or endangering the health/safety of others.</p> <p>Length: Depending on circumstances, suspensions may not last more than 5, 10, or 25 days.</p>	<p>Colo. Rev. Stat. Ann. § 22-33-105 Colo. Rev. Stat. Ann. § 22-33-106.1</p>
Connecticut	<p>Grade level: Students in prekindergarten-2 may not receive out of school suspensions, with exceptions.</p> <p>Length: No student may be placed in in-school suspension more than 15 times or more than 50 days total in one school year. Suspension is for no more than 10 consecutive days. Expulsion is for no more than one year.</p>	<p>Conn. Gen. State. Ann. § 10-233a Conn. Gen. State. Ann. § 10-233c Conn. Gen. State. Ann. § 10-233f</p>
Delaware	<p>Length: Short-term suspensions are 10 consecutive school days or less. Long-term suspensions shall not exceed the number of school days in a year.</p>	<p>Code Del. Regs. 14 616</p>

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
District of Columbia	<p>Grade level: Beginning in school year 2019-2020 for students in K-5, and school year 2020-2021 for students in 6-8, no student may be subject to an out-of-school suspension or disciplinary unenrollment... 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. Beginning in school year 2020-2021, no student in grades 9 through 12, except a student over 18 years of age at a school where more than ½ of the students are over 18 years of age, may be subject to an out-of-school suspension or disciplinary unenrollment for: violating dress code rules; willful defiance; or behavior off school grounds.</p> <p>Length: K-5 students may not be suspended for longer than five days. 6-12 students may not be suspended for longer than 10 days. Students may not be suspended for more than 20 cumulative days, regardless of academic year.</p> <p>Violation type: No student may be suspended for an unexcused absence or late arrival to school.</p>	D.C. Code § 38-236.04
Florida	<p>Violation type: No student shall be suspended for unexcused tardiness, lateness, absence, truancy, or membership in a fraternity, sorority or secret society.</p>	Fla. Stat. Ann. § 1006.09
Georgia	<p>Grade level: No student in public preschool through third grade shall be expelled or suspended from school for more than five consecutive or cumulative days during a school year without first receiving a multi-tiered system of supports, such as response to intervention, unless such student possessed a weapon, illegal drugs, or other dangerous instrument or such student's behavior endangers the physical safety of other students or school personnel.</p>	Ga. Code Ann. § 20-2-742
Hawaii	<p>Grade level: Exclusion from school shall not apply children participating in the state's prekindergarten program.</p> <p>Violation type: No action amounting to serious discipline shall be imposed on students for committing class D offenses, including possession or use of contraband, minor problem behaviors, and violation of other school rules. No suspension or serious discipline shall be imposed on any student because of class cutting or truancy.</p>	Haw. Code R. 8-19-6

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Idaho	<p>Length: A temporary suspension by the principal shall not exceed five school days in length; the school superintendent may extend the temporary suspension an additional 10 school days. Provided, that on a finding by the board of trustees that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare or safety, the board of trustees may extend the temporary suspension for an additional five school days.</p>	Idaho Code Ann. § 33-205
Illinois	<p>Length: Expulsions may not exceed two calendar years.</p> <p>Violation type: No punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against truant minors for such truancy unless appropriate and available supportive services and other school resources have been provided to the student.</p>	105 Ill. Comp. Stat. Ann. 5/10-22.6 105 Ill. Comp. Stat. Ann. 5/26-12
Indiana	<p>Length: A student may not be suspended for more than 10 days or expelled for a period of time longer than the remainder of the school year.</p>	Ind. Code Ann. § 20-33-8-18 Ind. Code Ann. § 20-33-8-20
Iowa	Not specified in statute or regulation.	
Kansas	<p>Length: A suspension may be for a short term not exceeding 10 school days, or for an extended term not exceeding 90 school days. An expulsion may be for a term not exceeding 186 school days.</p> <p>Violation type: Firearm/weapon possession does not apply to weapons instruction/approved courses.</p>	Kan. Stat. Ann. § 72-6115 Kan. Stat. Ann. § 72-6132
Kentucky	<p>Grade level: Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others</p>	Ky. Rev. Stat. Ann. § 158.150
Louisiana	<p>Grade level: Students in prekindergarten-5 must not be suspended or expelled for a violation not tied to willful disregard of school policies. Students in K-5 expelled for firearm/weapon possession receive a reduced mandatory expulsion, two semesters instead of four. Suspension for possession of a knife is mandatory, unless the student is in prekindergarten-5.</p>	La. Rev. Stat. Ann. 17:416
Maine	<p>Length: Expulsion may not exceed the number of instructional days in the current school year. Suspensions may not exceed 10 days.</p>	Me. Rev. Stat. tit. 20-A § 1001

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Maryland	<p>Grade level: A student enrolled in prekindergarten-2 may not be suspended or expelled, with exceptions.</p> <p>Length: Suspensions may not exceed 10 days, unless requested by a principal and approved by a county superintendent.</p> <p>Violation type: Students may not be suspended or expelled solely for attendance reasons.</p>	Md. Code Ann., Educ. § 7-305 Md. Code Ann., Educ. § 7-305.1
Massachusetts	<p>Length: Students cannot be suspended or expelled for longer than 90 days</p> <p>Violation type: Students cannot be suspended for marriage, pregnancy, parenthood or conduct unconnected to school sponsored activities</p>	Mass. Gen. Laws Ann. 71 § 37H 3/4 Mass. Gen. Laws Ann. 71 § 84
Michigan	<p>Grade level: Students below grade 6 are not subject to mandatory suspension/expulsion for physical or verbal assault.</p> <p>Length: Districts are encouraged to implement a plan to reduce student suspensions and expulsions that exceed 10 days.</p> <p>Violation type: Students may not be suspended or expelled for pregnancy.</p>	Mich. Comp. Laws Ann. § 380.1301 Mich. Comp. Laws Ann. § 380.1310 Mich. Comp. Laws Ann. § 380.1311a Mich. Comp. Laws Ann. § 388.1767a
Minnesota	<p>Length: suspension is no more than 10 days.</p>	Minn. Stat. Ann. § 121A.41
Mississippi	Not specified in statute or regulation	
Missouri	<p>Length: Suspensions may be for 10 school days or less. Superintendent may suspend a student for 180 school days or less.</p> <p>Violation type: Prior disciplinary actions may not be used as the only basis for suspension or expulsion.</p>	Mo. Ann. Stat. § 167.161 Mo. Ann. Stat. § 167.171
Montana	<p>Length: Expulsion is more than 20 school days without provision of educational services. Suspension is 10 school days or less, with the possibility of one 10 day extension in certain circumstances.</p>	Mont. Code Ann. § 20-5-202

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Nebraska	<p>Length: Suspension longer than 5 school days requires school board action. Expulsion generally may not exceed the remainder of the semester.</p> <p>Violation type: Students who are truant or tardy should be provided with alternatives to suspension or expulsion.</p>	<p>Neb. Rev. Stat. § 28-1204.04 Neb. Rev. Stat. § 79-264 Neb. Rev. Stat. § 79-267 Neb. Rev. Stat. § 79-283</p>
Nevada	<p>Age: Students under the age of 11 may not be permanently expelled from school.</p> <p>Grade level: Students in grades 1-8 may not be disciplined for simulating a firearm while playing, wearing clothing that depicts a firearm or expresses an opinion regarding the right to bear arms, with exceptions.</p> <p>Length: Suspension is 3 or more consecutive days.</p> <p>Violation type: Students may not be suspended solely for truancy.</p>	<p>Nev. Rev. Stat. Ann. § 392.466 Nev. Rev. Stat. Ann. § 392.467 Nev. Rev. Stat. Ann. § 392.4634 Nev. Rev. Stat. Ann. § 392.4657</p>
New Hampshire	<p>Length: Suspension is 20 school days or less. A suspension of more than 10 school days is possible only in certain circumstances.</p>	<p>N.H. Rev. Stat. Ann. § 193:13</p>
New Jersey	<p>Grade level: Students in prekindergarten through 2nd grade may not receive an out-of-school suspension, with exceptions.</p>	<p>N.J. Stat. Ann. § 18A:37-2a</p>
New Mexico	<p>Length: Expulsion is removal for a permanent or indefinite time exceeding 10 school days or a locally established shorter period. Long-term suspension is removal for a specified time exceeding either 10 school days or a locally established shorter period. Temporary suspension is removal for 10 school days or less.</p> <p>Student Characteristic: Removing students experiencing homelessness from school may only be used only as a last resort.</p>	<p>N.M. Admin. Code 6.11.2.7 N.M. Admin. Code 6.11.2.10</p>
New York	<p>Length: Short-term suspensions may not exceed 5 school days</p>	<p>N.Y. Educ. Laws § 3214</p>

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
North Carolina	<p>Length: Short-term suspension is up to 10 school days. Long-term suspension is more than 10 school days, but not greater than a school year.</p> <p>Violation type: Students may not be suspended long-term or expelled for truancy and may not be short-term suspended for more than 2 days. Students may not be long-term suspended or expelled for using profanity, noncompliance, dress code violations or minor physical altercations.</p>	<p>N.C. Gen. Stat. Ann. § 115C-390.1 N.C. Gen. Stat. Ann. § 115C-390.10 N.C. Gen. Stat. Ann. § 115C-390.2</p>
North Dakota	<p>Length: Suspension is up to 10 days. If a student is enrolled in an alternative education program, they may be suspended for up to 20 days.</p>	<p>N.D. Cent. Code Ann. § 15.1-19-09</p>
Ohio	<p>Grade level: Students in pre-kindergarten through grade three may not be suspended out-of-school, with exceptions. Principals must consult with a mental health professional prior to suspending or expelling a student in pre-kindergarten through grade three.</p> <p>Length: Suspension is not more than 10 school days. Expulsion is not more than 80 school days or remaining days in a term.</p> <p>Violation type: Students may not be suspended, expelled or removed from school solely for attendance issues.</p>	<p>Ohio Rev. Code Ann. § 3313.66 Ohio Rev. Code Ann. § 3313.668</p>
Oklahoma	<p>Length: Short-term suspension is less than 10 days.</p>	<p>Okla. Stat. Ann. tit. 70, § 24-101.3</p>
Oregon	<p>Grade level: Students in grade 5 or lower may only be suspended out-of-school or expelled for violations related to physical harm, threatening behavior or legal requirements.</p> <p>Length: Suspension is not more than 10 school days. Expulsion is not more than one calendar year.</p> <p>Violation type: Expulsion must be limited to conduct that threatens health or safety of students or school employees, conduct that has not been effectively changed by other strategies, or when required by law.</p>	<p>Or. Admin. R. 581-021-0065 Or. Rev. Stat. Ann. § 339.250</p>
Pennsylvania	<p>Not specified in statute or regulation.</p>	<p>24 Pa. Cons. Stat. Ann. § 13-1317.2</p>

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Rhode Island	Violation type: Students may not be suspended out-of-school solely for attendance issues.	R.I. Gen. Laws Ann. § 11-47-60.2 R.I. Gen. Laws Ann. § 16-19-1
South Carolina	Violation type: Students may not be suspended for purchase of a lottery ticket. Length: Administrators may not suspend a student more than ten days for any one offense, and no more than thirty days in a school year. Administrators may not suspend a student during the last ten days of the year if that will render the student ineligible to receive credit for the school year.	S.C. Code Ann. § 59-63-210 S.C. Code Ann. § 59-63-220 S.C. Code Ann. § 59-150-250
South Dakota	Length: Expulsion for use/possession of alcohol may not exceed 90 school days.	S.D. Codified Laws § 13-32-4
Tennessee	Length: Suspension may not last more than 10 days. Violation type: If a student is determined to have acted in self-defense, they may not face disciplinary action.	Tenn. Code Ann. § 49-6-3401
Texas	Grade level: Students below grade 3, and students who are younger than 10 years old, may not be placed in out-of-school suspension, with exceptions. Length: and Violation type: Code of conduct violation suspensions may not exceed 3 days. Student characteristic: Students experiencing homelessness may not be placed in out-of-school suspension, with exceptions. Violation type: Consideration must be given to a number of factors, including if the student involved is experiencing homelessness, and if a student acted in self-defense.	Tex. Educ. Code Ann. § 37.001 Tex. Educ. Code Ann. § 37.005 Tex. Educ. Code Ann. § 37.007

STATE	What limitations are placed on the use of suspension and/or expulsion?	Source
Utah	<p>Length: Suspension may be up to 10 days when administered by a principal, assistant principal, or chief administrative officer. Suspension may be up to one school year when administered by a school board, governing board, chief administrative office, district superintendent, or superintendent's designee.</p> <p>Violation type: If a minor is alleged to have committed an offense that is a class C misdemeanor, infraction, status offense on school property, or truancy, school districts and schools cannot refer the minor to law enforcement or a court, and law enforcement officers and agencies cannot refer the minor to a prosecuting attorney or a court. For these offenses, the minor may instead be referred to an evidence-based alternative intervention. If the student refuses to participate or fails to attend, references to law enforcement or a court may be made.</p>	<p>Utah Code Ann. § 53G-8-206 Utah Code Ann. § 53G-8-211</p>
Vermont	<p>Length: Suspension is 10 days or less. Expulsion is up to 90 days or remainder of school year.</p>	<p>Vt. Stat. Ann. tit. 16, § 1162</p>
Virginia	<p>Grade level: Students in prekindergarten through grade three may not be suspended for more than 3 days or expelled, with exceptions.</p> <p>Length: Suspension is not more than 10 school days. Long-term suspension is not more than 45 school days.</p> <p>Violation type: Students may not be suspended solely for attendance issues.</p>	<p>Va. Code Ann. § 22.1-277 Va. Code Ann. § 22.1-277.04 Va. Code Ann. § 22.1-277.05</p>
Washington	<p>Length: Short-term suspension is up to 10 consecutive school days. Expulsions may not last longer than the academic term, except in cases approved by superintendent.</p>	<p>Wash. Rev. Code Ann. § 28A.600.015 Wash. Rev. Code Ann. § 28A.600.020 Wash. Rev. Code Ann. § 28A.600.420</p>
West Virginia	<p>Length: Expulsion is not for more than one year</p> <p>Violation type: students cannot be suspended for failure to attend class</p>	<p>W. Va. Code Ann. § 18A-5-1 W. Va. Code Ann. § 18A-5-1a</p>
Wisconsin	<p>Violation type: Students cannot be suspended or expelled for truancy</p>	<p>Wis. Stat. Ann. § 120.13</p>
Wyoming	<p>Length: No suspension or expulsion shall be for longer than one year</p>	<p>Wyo. Stat. Ann. § 21-4-305</p>