



School Discipline Policies

Which alternative schooling options, if any, are available for students who are suspended or expelled?

May 2021

At least 48 states and the District of Columbia have policies in statute or regulation requiring, allowing or making available alternative schooling options for students who are suspended or expelled. In some states, alternative schooling options are provided for specific student populations.

This data point highlights alternative schooling options made available for students who are suspended or expelled. State statute or regulation commonly notes which alternatives are available, which entity is responsible for establishing or providing such alternatives and for which student populations these alternatives are made available. To view other data points in this resource, click [here](#). The following information was gathered from state statutes and regulations only.

STATE	Which alternative schooling options, if any, are available for students who are suspended or expelled?	Source
Alabama	Multi-tiered alternative program options are available.	Ala. Code § 41-15B-2.2
Alaska	Not specified in statute or regulation.	
Arizona	Alternative education programs are available.	Ariz. Rev. Stat. Ann. § 15-841
Arkansas	Each school district shall develop strategies for promoting maximum student attendance, including, but not limited to, the use of alternative classrooms and in-school suspensions in lieu of suspension from school. Non-punitive intervention services must be provided in these environments.	Ark. Code Ann. § 6-18-209 Ark. Code Ann. § 6-48-103

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California	Alternative education services must be provided to expelled students. Suspended students may be assigned to a supervised suspension classroom.	Cal. Educ. Code § 48911.1 Cal. Educ. Code § 48926
Colorado	The school district must provide information to the student's parents or guardian concerning the educational alternatives available during the period of expulsion. Suspended students must be provided an opportunity to make up school work during the period of suspension for full or partial academic credit to the extent possible. Discipline codes must include plans for the use of prevention, intervention, restorative justice, peer mediation, counseling or other approaches to address student misconduct.	Colo. Rev. Stat. Ann. § 22-33-105 Colo. Rev. Stat. Ann. § 22-33-109.1 Colo. Rev. Stat. Ann. § 22-33-203
Connecticut	Expelled students under 16 years old must be offered an alternative educational opportunity. Suspended students must be given the opportunity to complete classwork.	Conn. Gen. State. Ann. § 10-233c Conn. Gen. State. Ann. § 10-233d
Delaware	The Department of Education shall establish a program component which will provide alternative educational and related services for the more severe discipline problems in the public schools. The program serves students who have been expelled or who are suspended pending expulsion.	Del. Code Ann. tit. 14, § 1604
District of Columbia	The Board of Education must provide expelled students an alternative education program. Suspended students must provide an education plan that allows the student to make up class, homework and tests.	D.C. Code § 38-233
Florida	Disruptive students may be assigned to an alternative educational program.	Fla. Stat. Ann. § 1006.07 Fla. Stat. Ann. § 1006.09
Georgia	State policy suggests that alternative setting assignment is preferred to exclusionary discipline. Each local education agency is required to provide an alternative education opportunity for students who have been suspended in grades 6-12.	Ga. Code Ann. § 20-2-751.1 Ga. Comp. R. & Regs. 160-4-8-.12
Hawaii	If a child is excluded from attending school, the superintendent shall ensure that substitute educational activities or other appropriate assistance shall be provided.	Haw. Rev. Stat. § 302A-1134
Idaho	Not specified in statute or regulation.	

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Illinois	Students who are suspended out-of-school for longer than four school days shall be provided appropriate and available support services during the period of their suspension.	105 Ill. Comp. Stat. Ann. 5/10-22.6
Indiana	<p>Each school corporation must prepare a list of alternative education programs in which an expelled student may enroll if expelled.</p> <p>For reenrollment after expulsion, a principal may require a student to attend an alternative school or alternative education program, evening classes, or classes established for students who are at least 16 years of age.</p> <p>A principal may assign a student to an alternative educational program or an alternative school.</p>	<p>Ind. Code Ann. § 20-33-8-19</p> <p>Ind. Code Ann. § 20-33-8-24</p> <p>Ind. Code Ann. § 20-33-8-25</p>
Iowa	Alternative options exist for students at-risk of drop-out.	Iowa Code Ann. § 280.19A
Kansas	While a gifted child is suspended or expelled from school, an agency shall not be required to provide special education or related services to the child.	Kan. Admin. Regs. 91-40-34
Kentucky	Boards of Education must ensure that expelled students are provided with educational services in an alternative program or setting.	Ky. Rev. Stat. Ann. § 158.150
Louisiana	School boards may establish alternative schools for students with behavior problems.	<p>La. Rev. Stat. Ann. 17:100.5</p> <p>La. Rev. Stat. Ann. 17:416.2</p>
Maine	School boards may provide educational services in an alternative setting.	<p>Me. Rev. Stat. tit. 20-A § 1001</p> <p>Me. Rev. Stat. tit. 20-A § 3271</p>
Maryland	School systems must provide comparable educational services and behavioral support services to expelled or suspended students. Students not assigned to alternative program must be provided with daily classwork and assignments and a school staff liaison.	Md. Code Regs. 13A.08.01.11
Massachusetts	The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten consecutive days	603 Mass. Code Regs. 53.13

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Michigan	The student may be placed in an alternative education program, strict discipline academy, or cyber school. The office for safe schools must compile a catalog of such programs. If not placed in such a program, the student may be provided instructional services for use at home.	Mich. Comp. Laws Ann. § 380.1311 Mich. Comp. Laws Ann. § 380.1310
Minnesota	Schools must attempt to provide alternative education services to students prior to dismissal, except if a child is an immediate danger to property or people.	Minn. Stat. Ann. § 121A.41 Minn. Stat. Ann. § 121A.45
Mississippi	Suspended or expelled students must be assigned to an alternative school unless they were expelled for firearm/weapon possession.	7 Code Miss. R. Pt. 3, R. 7.1
Missouri	School districts must pay toward per pupil costs for alternative education programs.	Mo. Ann. Stat. § 167.164
Montana	Alternative educational services may be available to students who are suspended or expelled.	Mont. Code Ann. § 20-5-202
Nebraska	Each school district must either (a) have an alternative school, class or educational program for expelled students, or (b) have a procedure to create a plan for students that includes objectives to be completed and specifies available financial resources and community programs to meet those goals. Suspended students may be given an opportunity to complete classwork during period of suspension.	Neb. Rev. Stat. § 79-265 Neb. Rev. Stat. § 79-266
Nevada	The State Board must establish a program of independent study for suspended or expelled students.	Nev. Rev. Stat. Ann. § 389.155 Nev. Rev. Stat. Ann. § 392.4645 Nev. Rev. Stat. Ann. § 392.4675
New Hampshire	Districts and charter schools must make educational assignments available to suspended students, and provide alternative educational services to students who are suspended for more than 20 cumulative days in a school year.	N.H. Rev. Stat. Ann. § 193:13
New Jersey	If a student is suspended for longer than ten days, they must be provided either in-school or out-of-school comparable educational services. These services must be provided within five school days of the suspension. Students removed for firearm possession must be placed in an alternative education program or provided with home instruction until placement is available.	N.J. Admin. Code § 6A:16-7.3 N.J. Stat. Ann. § 18A:37-8 N.J. Stat. Ann. § 18A:37-9

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New Mexico	<p>Students suspended in-school for more than 10 school days must be provided with an instructional program that meets state and local educational requirements.</p> <p>Students who have been expelled or issued a long-term suspension are not entitled to receive educational services from their prior school district, but a local school board may provide alternative arrangements, such as correspondence courses at the expense of the student, as the school board sees appropriate.</p> <p>Students with disabilities who are determined to have brought a weapon to school shall be placed in an alternative education setting.</p>	<p>N.M. Admin. Code 6.11.2.12 N.M. Stat. Ann. § 22-5-4.7</p>
New York	<p>Districts must ensure the provision of educational programming and activities for students removed from the classroom.</p>	<p>N.Y. Educ. Laws § 3214</p>
North Carolina	<p>Students who are long-term suspended must be offered alternative education services unless the superintendent provides a reason to object, with a right to appeal for the student. Prior to expulsions, the local board of education must consider alternative education service offerings.</p>	<p>N.C. Gen. Stat. Ann. § 115C-390.9 N.C. Gen. Stat. Ann. § 115C-390.11</p>
North Dakota	<p>Districts may authorize the provision of educational services to an expelled student in an alternative setting.</p>	<p>N.D. Cent. Code Ann. § 15.1-19-09 N.D. Cent. Code Ann. § 15.1-19-10</p>
Ohio	<p>Local boards of education may choose to maintain an alternative school and each of the big eight school districts must have at least one alternative school. Expelled students may be provided with educational services in an alternative setting. Suspended students may be permitted to complete classroom assignments and receive at least partial credit for completed assignments.</p>	<p>Ohio Rev. Code Ann. § 3313.533 Ohio Rev. Code Ann. § 3313.534</p>
Oklahoma	<p>Schools may provide alternative placement options including placement in an alternative school setting, reassignment to another classroom, or in-school detention.</p>	<p>Okla. Stat. Ann. tit. 70, § 24-101.3</p>
Oregon	<p>Alternative programs are available and districts must provide for the dissemination of information about those programs. Students may be required to attend school during non-school hours as an alternative to suspension. Districts may allow students to make up work upon their return from suspension</p>	<p>Or. Admin. R. 581-021-0065 Or. Rev. Stat. Ann. § 339.250</p>

STATE	Which alternative schooling options, if any, are available for students who are suspended or expelled?	Source
Pennsylvania	Alternative education programs may be available for disruptive students. Students expelled for firearm/weapon possession may be placed in alternative educational services during the period of expulsion.	24 Pa. Cons. Stat. Ann. § 13-1317.2 24 Pa. Cons. Stat. Ann. § 19-1901-C
Rhode Island	Districts must ensure that schools provide a continuum of alternative educational placement options for students while they are suspended. Districts must adopt plans to ensure continued education is put in place for students who are suspended for more than 10 days or who are chronically truant.	200 R.I. Code R. 20-10-1.3 R.I. Gen. Laws Ann. § 16-21-27
South Carolina	The state encourages the establishment of alternative school programs for students with behavioral and academic problems.	S.C. Code Ann. § 59-63-1300 S.C. Code Ann. § 59-63-1320 S.C. Code Ann. § 59-63-1330
South Dakota	Expelled students may be provided with educational services in an alternative setting.	S.D. Codified Laws § 13-32-4
Tennessee	<p>At least one alternative school must be available for students in grades seven through twelve who have been suspended or expelled. Attendance in these schools or programs is mandatory for students in grades seven through twelve who have been suspended for more than ten days or expelled, if there is space and staff available.</p> <p>Local boards of education may establish alternative schools for suspended or expelled students in grades one through six. Local board of education may jointly establish such schools.</p>	Tenn. Code Ann. § 49-6-3402
Texas	Each school district must provide educational services in a disciplinary alternative education program. School districts must provide suspended students an alternative means of receiving missed course work, including at least one option that does not require Internet use.	Tex. Educ. Code Ann. § 37.005 Tex. Educ. Code Ann. § 37.008 Tex. Educ. Code Ann. § 37.0081
Utah	Parents are responsible for ensuring continuing education during a period of suspension or expulsion lasting more than 10 days. Designated school officials are available to assist parents in determining a course of action, which may include private education or alternative programs.	Utah Code Ann. § 53G-8-208
Vermont	Principals, superintendents, and school boards are authorized and encouraged to provide alternative education services or programs during suspension and expulsion.	Vt. Stat. Ann. tit. 16, § 1162

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Virginia	The Board of Education must establish a program of regional alternative education options for students who have been suspended long-term or expelled. For students issued a long-term suspension, a school board must provide information concerning the availability of community-based educational, alternative education, or intervention programs.	Va. Code Ann. § 22.1-209.1:2 Va. Code Ann. § 22.1-277.05
Washington	School districts must provide an opportunity for a student to receive educational service during a period of suspension or expulsion, and make reasonable efforts to assist students and parents in returning to an educational setting. Alternative settings should be comparable, equitable, and appropriate to the regular education a student would have received without the exclusionary discipline. Students must be allowed to make up important schoolwork.	Wash. Admin. Code 392-400-330 Wash. Rev. Code Ann. § 28A.600.015 Wash. Rev. Code Ann. § 28A.600.020
West Virginia	The state board shall promulgate a rule for the approval of alternative education programs for disruptive students. However, a county board may deny alternative education services to expelled students that are deemed dangerous	W. Va. Code Ann. § 18-2-6 W. Va. Code Ann. § 18-5-1a
Wisconsin	A principal must place students in an alternative education program	Wis. Stat. Ann. § 118.164
Wyoming	Alternative educational services may be provided to expelled students	Wyo. Stat. Ann. § 21-4-306