

# CLIENT NEWS BRIEF

## Legislative Update: Governor Approves Changes to Pre-Suspension Conferences

On October 3, 2017, Governor Jerry Brown signed Assembly Bill (AB) 667, which generally requires schools to inform students about other means of correction that were attempted before suspending a student at the mandatory informal disciplinary conferences. This bill takes effect January 1, 2018.

Education Code section 48911, subdivision (b), requires a student being suspended to be informed during the mandatory informal pre-suspension conference of the reason for the suspension and the evidence against the student. The student must be given the chance to tell his or her side of the story and to produce any evidence to support it. AB 667 will now also require that students be informed of the other means of correction that were attempted prior to suspension. Other means of correction, defined under Education Code section 48900.5, include, but are not limited to, referrals to a school counselor, a student study team, a restorative justice program, after-school programs and a special education assessment.

AB 667 does not change the law about when other means of correction must be attempted before a school district can suspend a student. Under Education Code section 48900.5, there are certain disciplinary violations or facts and circumstances which permit schools to suspend students for a first offense and before use of other means of correction.

AB 667 continues the Legislature's desire to reduce the total number of suspensions and expulsions since the passage of AB 420 in 2014, which limited school districts' ability to suspend and expel students for disrupting school activities or committing an act of willful defiance. ([See 2014 Client News Brief No. 72.](#)) These measures are rooted in studies which show over half of students with multiple suspensions are chronically absent, boys are three times more likely to be suspended than girls, and students of color, foster youth, and low-income students are disproportionately suspended. The California Department of Education has reported a 34 percent drop in suspensions and a 40 percent drop in expulsions since AB 420 was implemented.

School districts and county offices of education will need to update their disciplinary procedures to ensure that this new notice requirement at the informal pre-suspension conference is met.

If you have any questions about the implementation of AB 667, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#) or download our [Client News Brief App](#).

October 2017  
Number 65



Roberta L. Rowe  
Partner  
Fresno Office  
[rrowe@lozanosmith.com](mailto:rrowe@lozanosmith.com)



Joshua Whiteside  
Associate  
Fresno Office  
[jwhiteside@lozanosmith.com](mailto:jwhiteside@lozanosmith.com)



*As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.*