

CLIENT NEWS BRIEF

Students Suspended For Two Or More Days Must Now Be Provided Homework Assignments

In an effort to prevent suspended students in grades 1-12 from falling behind in class assignments or homework, Governor Newsom has signed Assembly Bill (AB) 982, requiring all public and charter school teachers to provide homework assignments to suspended students, upon request. Teachers have historically had the option whether or not to require suspended students to complete any assignments and tests missed during the term of their suspension.

AB 982

Beginning January 1, 2020, AB 982 requires a teacher to provide, upon request, homework to any student who has been suspended from school for two or more schooldays. This request must be made by either the suspended student, their parent, legal guardian, or other person holding the right to make educational decisions for the suspended student. If the request for homework is made, the assignments then must be turned in to the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later.

The Legislature explicitly stated that the purpose of AB 982 is to provide the suspended student with the homework that the student would otherwise have been assigned so that the student does not unnecessarily fall behind academically. The Legislature also explicitly stated it did not intend to require a teacher to correct classroom assignments or homework missed while the student is suspended, or to add an additional burden on a teacher's workload. With this in mind, AB 982 also provides that if a teacher is unable to grade the homework assignment before the end of the academic term, then the assignment shall not be included in the calculation of the student's overall grade in the class. This added safeguard minimizes the impact on teachers who otherwise would have to grade these potentially delayed assignments, while also reducing the punitive academic impact on the suspended student.

Takeaways

Though this bill does not explicitly require it, school districts and charter schools should consider informing a suspended student and their parent or legal guardian of their right to request the student's homework if the suspension will last two or more days. Similarly, school districts and charter schools should consider informing all teachers of the new requirements under AB 982, and develop consistent and equitable procedures around grading assignments for suspended students.

For more information on this bill, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#) or download our [mobile app](#).

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