



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

June 16, 2016

Dear County and District Superintendents and Charter School Administrators:

COMPLIANCE WITH ASSEMBLY BILL 420

As a follow up to a letter from State Superintendent of Public Instruction Tom Torlakson dated February 2, 2015 (<http://www.cde.ca.gov/nr/el/le/yr15ltr0202.asp>), we write to remind you that effective January 1, 2015, Assembly Bill 420 (California *Education Code* Section 48900(k)(2)) prohibits students enrolled in kindergarten or any grades one through three (K–3) from being suspended for “willful defiance” (student offense code 511 – disruption, defiance), and prohibits students enrolled in kindergarten or any grades one through twelve (K–12) from being recommended for expulsion for willful defiance.

Local educational agencies (LEAs) should already have processes in place to ensure that they are complying with the provisions of AB 420. LEAs may want to routinely review data from their student information systems to ensure that K–3 students are not being suspended for willful defiance and that no students in any grade are being expelled for willful defiance in violation of AB 420. California Longitudinal Pupil Achievement Data System (CALPADS) Administrators may also utilize the *Operational Data Store Report 7.4 Disciplinary Actions – Counts by Offense* to verify whether or not there are students who fall into these categories, if LEA discipline data is uploaded throughout the school year. We encourage you to work with the schools reporting such incidents to verify the accuracy of the report, and take appropriate steps to ensure the school understands and complies with the law.

The California Department of Education (CDE) encourages behavioral intervention strategies and supports which keep students in school and holds them accountable without suspension. Research on the negative impact of school absences has shown the need to replace suspension for minor offenses with other methods of correction, especially in the early grades. For additional information, including links to educator toolkits, a fact sheet on AB 420, and other resources for improving student disciplinary procedures, please visit the CDE Behavioral Intervention Strategies and Supports Web page at <http://www.cde.ca.gov/lr/ss/se/behavioralintervention.asp>.

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If you have any questions regarding the reporting of data in CALPADS, please contact the CALPADS Service Desk by phone at 916-325-9210 or by e-mail at calpads-support@cde.ca.gov. For questions regarding technical assistance related to AB 420, please contact Dan Sackheim, Education Programs Consultant, Educational Options, Student Support, and American Indian Education Office, by phone at 916-445-5595 or by e-mail at dsackhei@cde.ca.gov.

Sincerely,

/s/

Cindy Kazanis, Director
Analysis, Measurement,
and Accountability Reporting Division

/s/

Gordon Jackson, Director
Coordinated Student Support Division

CK/GJ:ck