

Student Removals from Class by a Teacher

Student is Removed by Teacher from Class

Under Texas Education Code (TEC) §37.002(b) or (d)

Parent is Notified of Removal [TEC §37.002(b-2)]

Best practice is to also notify the parent of conference date and time with this notification

Disciplinary Conference

Held not later than third class day after removal. Teacher who removed the student must be given opportunity to attend. At the conference, the student and parent are informed of their right to appeal the removal.

Has the teacher indicated that they will provide written consent to the student's return to class after any consequences are imposed?

YES

Student **returns to regular classroom** after any consequences are imposed.

NO

Is the removal related to the reasons listed in TEC §37.002(b)(1), (2), or (3)?

YES

A return to class plan **must be created** before or at (and discussed at) the conference.

NO

A return to class plan **may be created but is not required.**

YES

Did the teacher provide written consent for student's return to class?

NO

Placement Review Committee Meets to Determine Placement

Was the removal from the classroom based on an element of assault against the teacher? [TEC §37.007(a)(2)(A) (aggravated assault, sexual assault, or aggravated sexual assault) or (a)(4) (assault with bodily injury)]

YES

The principal must find a different placement for the student.

NO

The student is returned to the classroom only when the placement review committee determines it is the best or only alternative available.

If the student receives special education and related services, disciplinary removals are subject to TEC §37.003(d) and 37.004.