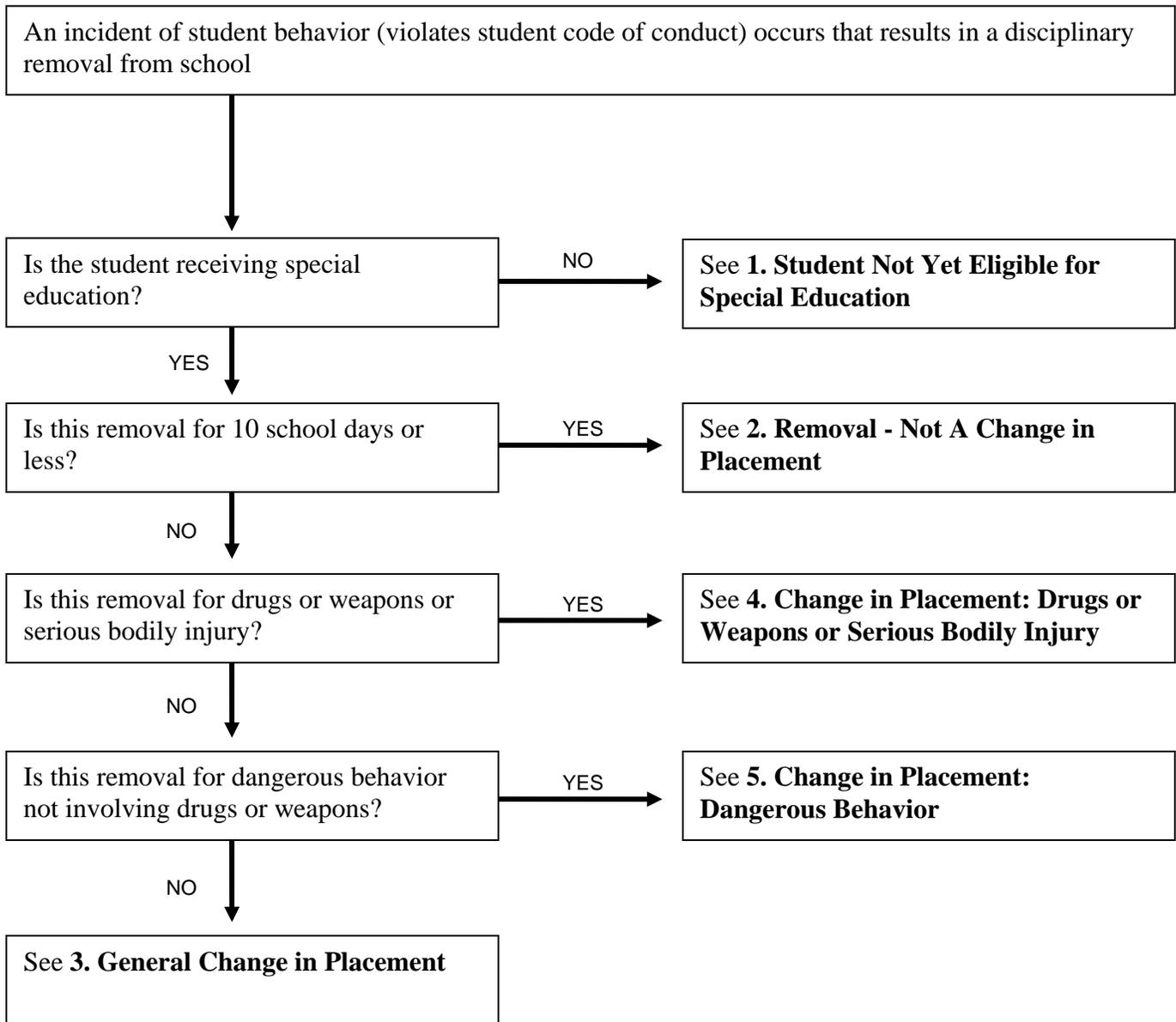


Student Discipline Procedures: Special Education Considerations



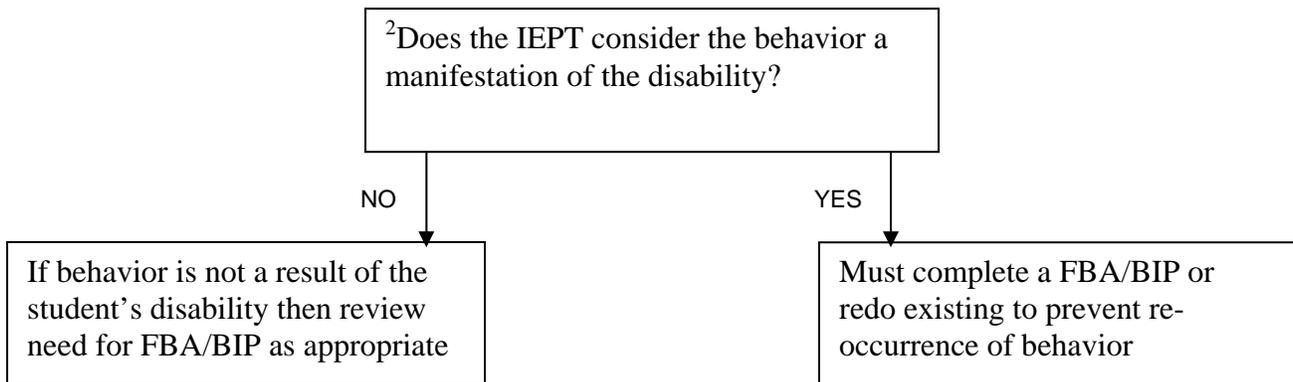
Whenever a superscript (1 or 2) is used in a box in the following flowcharts, the reader may refer to this page for an explanation of the action or decision involved.

¹On the day on which decision is made to remove the student the school provides parent notice of special education rights and procedures

This box refers to notice given to the parent whenever the school proposes to begin a discipline procedure that will result in an accumulation of more than 10 school days of removal in a school year for a student who is receiving special education. Such a removal constitutes a proposed change in placement and triggers a parent notice required for special education action by the school. The notice is given on the day on which the decision to remove the student is made. The parents must be notified of the decision and provided procedural safeguards.

Written notice recommendations:

- Charges against student with summary of facts
- Recommended consequences
- Procedural safeguards
- Date, time, place of Manifest Determination Review (within 10 school days of decision to suspend/expel)
- States pending MDR



This box refers to an MDR meeting (held within 10 school days of the decision to remove a student from school for violating school conduct code) in which the relationship between the behavior subject to discipline and a disability are determined. (A behavior heading is not considered a manifestation of a disability only if:)

The IEPT first considers all relevant info in a student's file including:

1. Information provided by parent
2. Observations of the student by teacher
3. The IEP

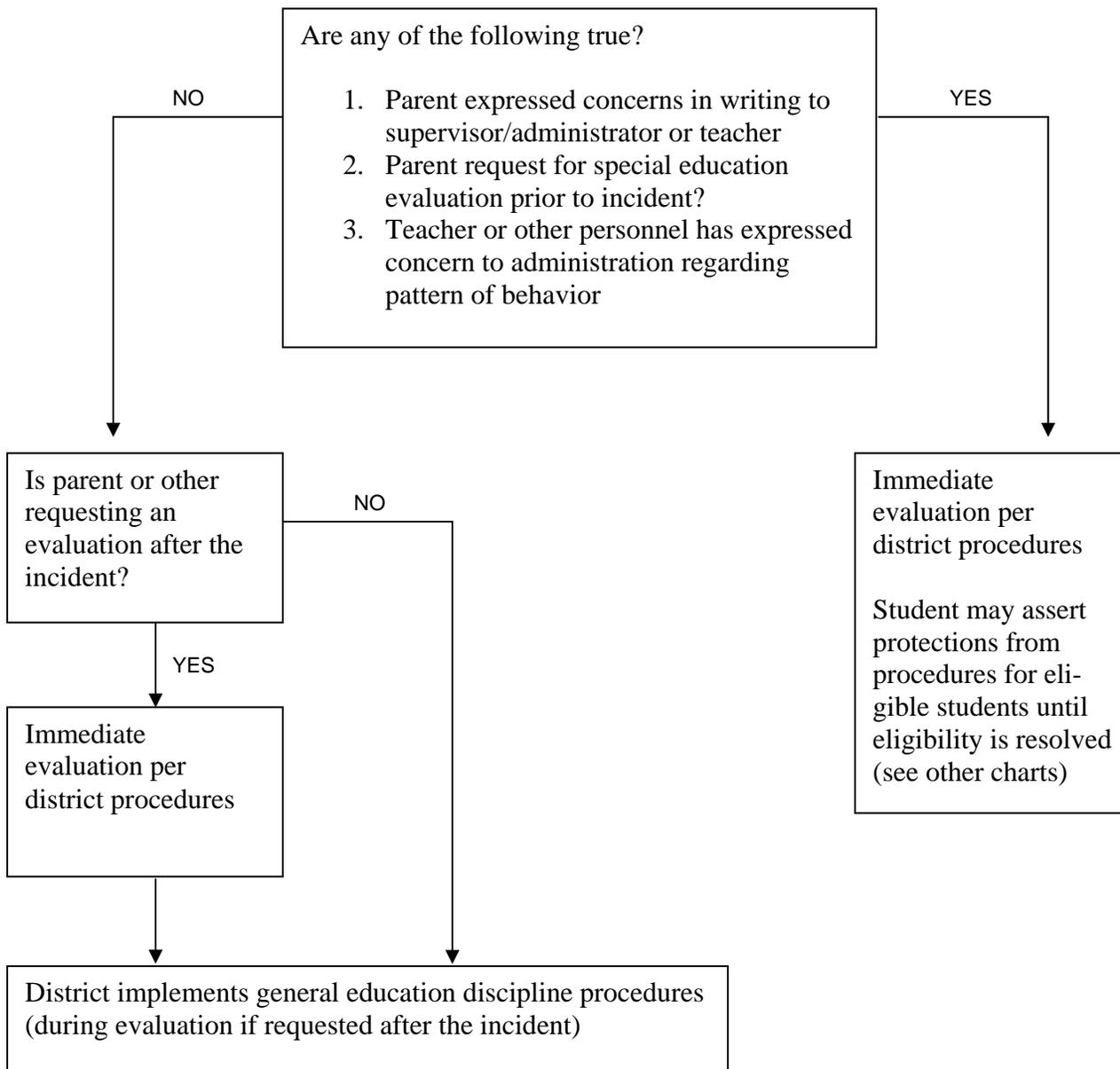
And then determines that none of the following are true:

1. Was the conduct caused by or is there a direct causal relationship to disability?
2. Was the conduct the result of the district's failure to implement IEP

1. Student Not Yet Eligible for Special Education

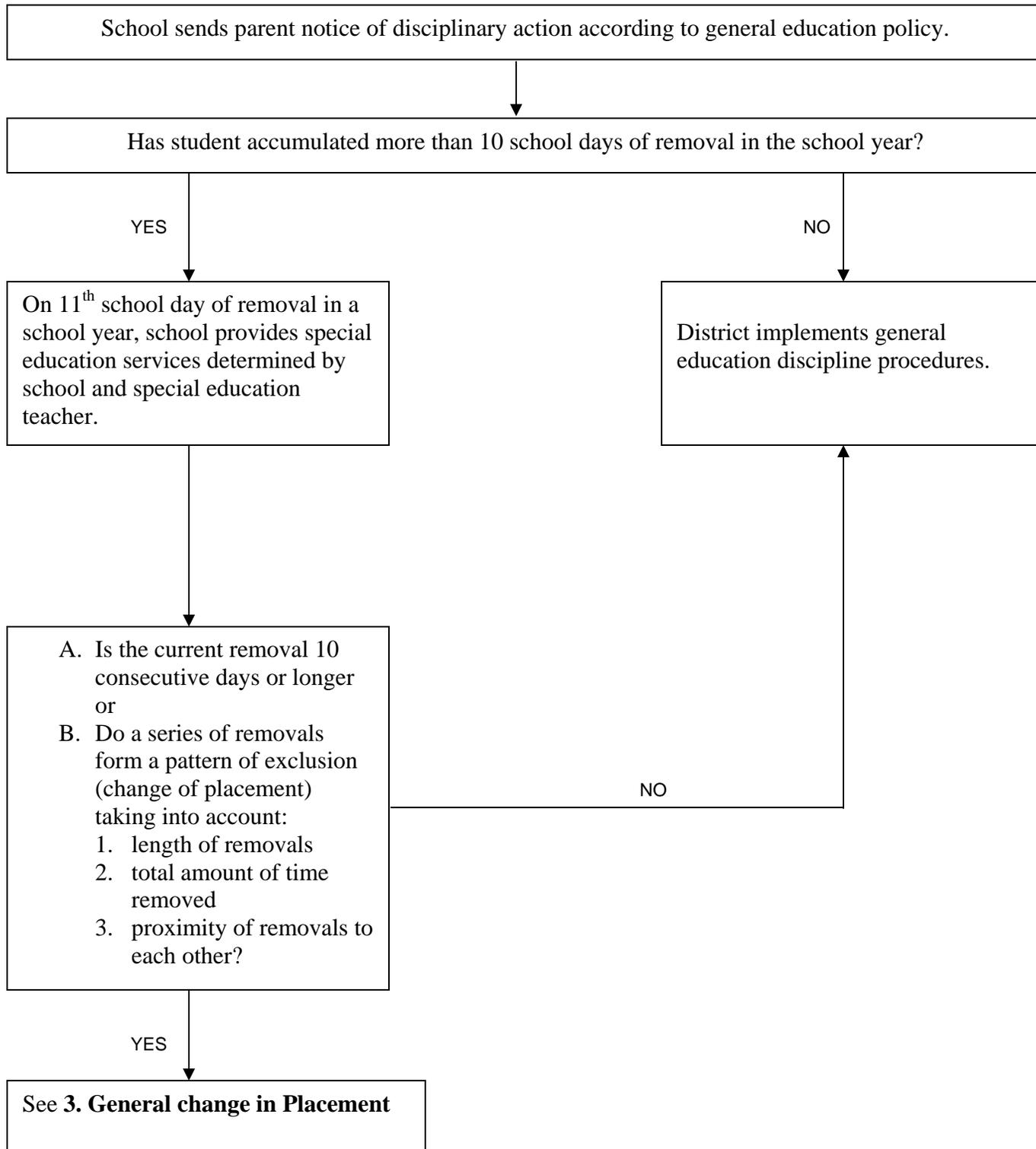
(Student is not currently in referral and does not currently receive special education)

School sends parent notice of disciplinary action according to general education policy.

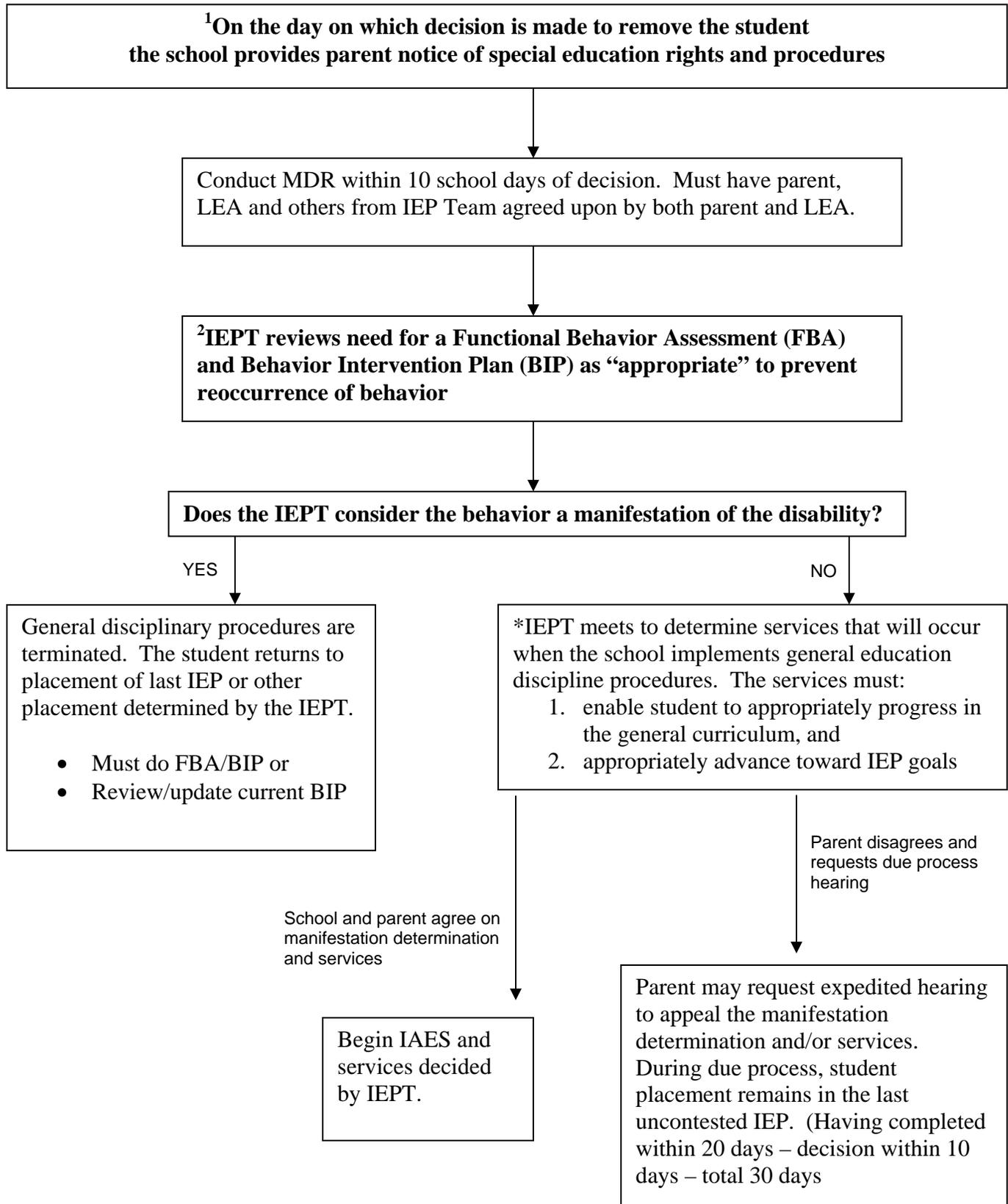


2. Removals Not A Change of Placement

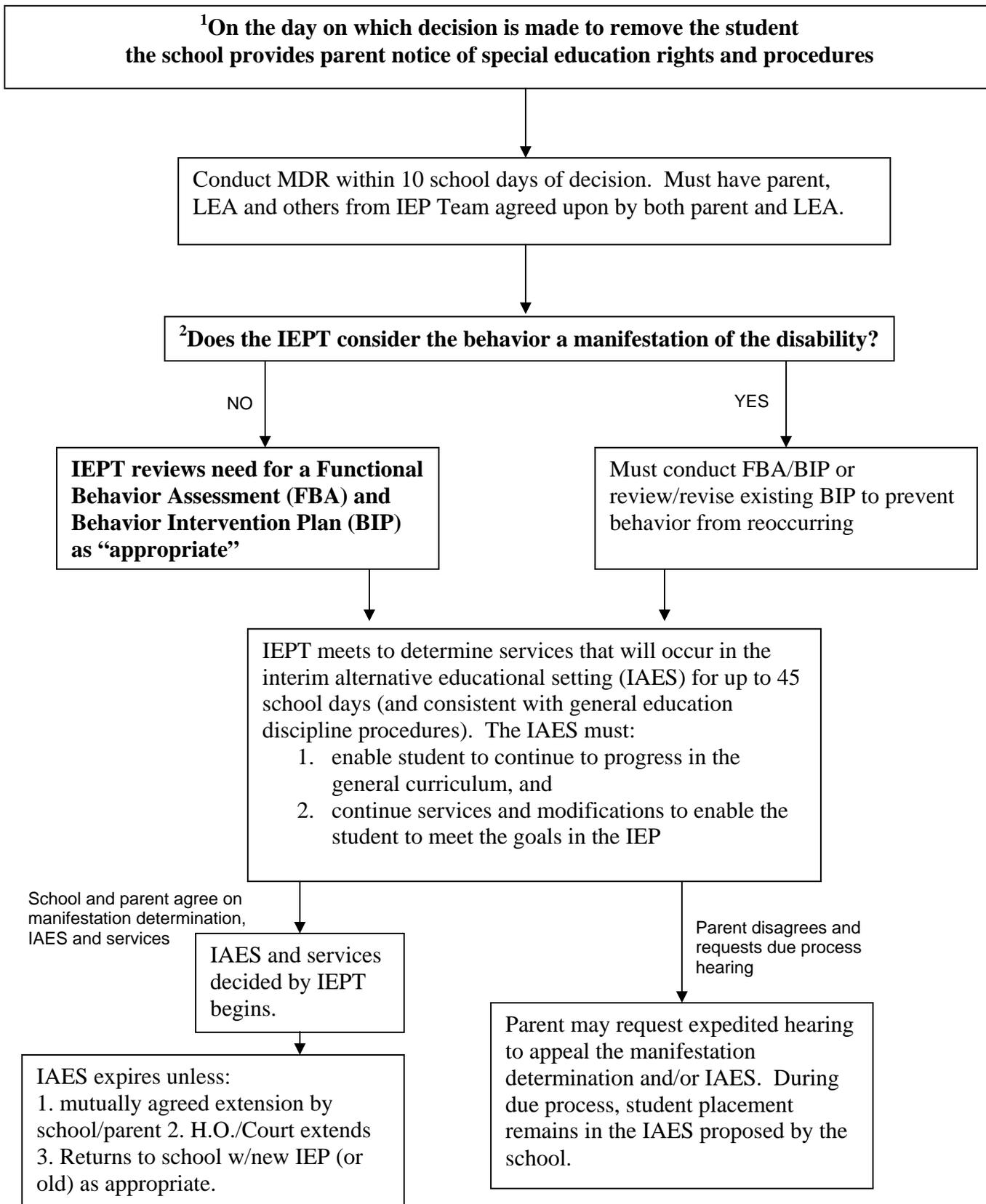
(10 or less school days per incident)



3. Removals – General Change of Placement



4. Change of Placement: Drugs or Weapons, Serious Bodily Injury



5. Change of Placement: Dangerous Behavior

