



STUDENTS WITH DISABILITIES SUSPENSION/EXPULSION-ADMINISTRATORS CHECKLIST	
<p><b>A. If the Student will be suspended for <u>10 days or less.</u></b></p> <p><i>Then the following steps are to be carried out.</i></p>	<p><b>B. If the Student will be suspended for <u>more than 10 days</u> (consecutive or non-consecutive for separate incidents).</b></p> <p><i>Then the following steps are to be carried out.</i></p>
<b>Step 1</b>	<b>Step 1</b>
<ol style="list-style-type: none"> <li>1. Continue with regular disciplinary action procedures</li> <li>2. Contact student parent(s)/guardian(s)</li> <li>3. Provide access to the general education curriculum to student to the extent of services that are provided to non-disabled students (i.e. work packets, etc.)</li> <li>4. Develop a plan to provide (compensatory make-up special education services) as deemed necessary and appropriate</li> <li>5. Discuss the need to initiate/develop/review Functional Behavior Assessment(FBA) /Behavior Intervention Plan(BIP) for the student in question</li> </ol>	<ol style="list-style-type: none"> <li>1. Contact parent(s)/guardian(s)</li> <li>2. Confer with Special Education Supervisor or District Director and transmit the following documents:               <ol style="list-style-type: none"> <li>a. <b>Notice of suspension</b></li> <li>b. <b>Incident Report with photographs (if applicable)</b></li> <li>c. <b>Hearing Notice</b></li> </ol> </li> <li>3. Consult with appropriate personnel and plan for services to be provided to student in the alternate setting</li> <li>4. Transmit the following documents to <b>student parent(s)/or guardian(s)</b> and <b>student files</b> in the District Office of Special Education               <ol style="list-style-type: none"> <li>a. <b>Procedural Safeguards</b></li> <li>b. <b>Invitation to Manifestation Meeting</b></li> <li>c. <b>Notice of Suspension</b></li> <li>d. <b>Hearing Notice</b></li> </ol> </li> </ol>
	<b>Step 2</b>
<p><b><i>STOP</i></b> <i>If this is a suspension for more than 10 days (consecutive or non-consecutive for separate incidents). Please refer to <b>Letter B</b></i></p>	<p><b>Schedule/conduct Manifestation meeting within <i>ten (10) school days</i> of the disciplinary action</b></p>
	<p><b>The following documents will be submitted by District Office of Special Education to be placed in student school files:</b></p>
	<p><b><i>Manifestation Determination Form</i></b></p>

	<b>Step 3</b>
	<b>If the IEP team Determined that the Behavior is a Manifestation of the Child’s Disability then the following events should occur:</b>
	<ol style="list-style-type: none"> <li>1. FBA/BIP developed or current BIP reviewed by <i>IEP team</i> and modify to address the behavior in question</li> <li>2. Return child to current or previous education placement unless the parent(s) or guardian(s) agrees to change of placement as part of the modification of BIP</li> <li>3. Actions taken to rectify IEP non-compliance (If determined as reason for manifestation)</li> </ol>
	<b>Step 4</b>
	<b>If the IEP Team Determined Behavior is NOT a Manifestation of the Child’s Disability, then the following events should occur:</b>
	<ol style="list-style-type: none"> <li>1. Disciplinary Action Continued (Long term suspension/or expulsion/ 45 day interim alternative educational setting)</li> <li>2. IEP meeting held to reflect change of placement</li> <li>3. Services setup for student to continue to make progress on IEP goals</li> <li>4. FBA/BIP developed and designed to prevent behavior from reoccurring</li> </ol>
	<p><i>Special Circumstances (controlled substance, illegal drugs/controlled substance, seriously bodily injury and Weapons). [34 CFR 300.530(g)(1)-(3)]</i></p> <p>School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability, if the child: carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of a State educational agency (SEA) or a local educational agency (LEA); knowingly possesses or uses illegal drugs, or sells</p>

or solicits the sale of a controlled substance, while at school, on school premises, or to or at a school function under the jurisdiction of an SEA or an LEA; or, *has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.*

[NOTE: The principal or designee will decide whether to contact law enforcement authorities (VIDE Special Education Rules V.R.)]

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the Local Education Agency (LEA) **must notify** the parents of that decision, and provide the parents **the procedural safeguards notice** described in IDEA (20 USC § 1416 and 34 CFR § 300.504).

**Parent Appeal: 34 CFR §300.532**

(a) General. The parent of a child with a disability who disagrees with any decision regarding placement under §§ 300.530 and 300.531, or the manifestation determination under § 300.530(e), or an LEA that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others, may appeal the decision by requesting a hearing. The hearing is requested by filing a complaint pursuant to §§300.507 and 300.508(a) and (b).

cc: **Student's cumulative file**  
**District Office of Special Education student file**

