

SALISBURY TOWNSHIP SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS
WITH DISABILITIES

ADOPTED: April 16, 2003

REVISED:

<p>113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES</p>	
<p>1. Purpose Title 22 Sec. 14.133</p>	<p>Whenever behavior interferes with the learning of a child with disabilities or with the learning of others, the IEP team of that child shall consider and shall include in the IEP of the child as needed, appropriate positive behavioral interventions, strategies, and supports to address the behavior.</p> <p>Students with disabilities who engage in conduct that violates district policy or school rules and regulations in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others shall be disciplined in accordance with their Individualized Education Program (IEP), behavior support plan, and Board policy.</p>
<p>2. Authority 20 U.S.C. Sec. 1400 et seq 34 CFR 300.519-300.529 Title 22 Sec. 14.143</p>	<p>The Board directs that the district shall comply with provisions of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of district policy or school rules and regulations.</p>
<p>3. Guidelines Title 22 Sec. 14.143</p> <p>34 CFR 300.524 Pol. 218, 233</p>	<p>A student with a disability other than mental retardation may be suspended for ten (10) consecutive and no more than fifteen (15) cumulative days of school per school year, regardless of whether the student's behavior is a manifestation of his/her disability.</p> <p>A student with a disability whose behavior is not a manifestation of his/her disability may be expelled pursuant to district policy and procedures.</p> <p>No student with a disability shall be expelled if the student's behavior and/or misconduct is determined to be a manifestation of his/her disability.</p>

<p>Title 22 Sec. 14.143</p> <p>34 CFR 300.519(a)</p> <p>Title 22 Sec. 14.143(a)</p> <p>34 CFR 300.527, 300.528</p> <p>34 CFR 300.520 18 U.S.C. Sec. 930(g)</p>	<p>If the suspension of a student constitutes a change in placement, the student's IEP team shall meet and determine if the behavior in question was a manifestation of the student's disability.</p> <p>Any removal from school is a change of placement for a student identified with mental retardation.</p> <p>The following constitutes a change in educational placement for students with disabilities other than mental retardation:</p> <ol style="list-style-type: none"> 1. The removal is for more than ten (10) consecutive school days. 2. The suspension will result in exclusion from school for more than fifteen (15) total days in a school year. 3. The student is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year and because of factors such as: <ol style="list-style-type: none"> a. The length of each removal. b. The total amount of time the child is removed. c. The proximity of the removals to one another. <p>Students who have not already been identified as disabled at the time they commit the misconduct or behavior may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.</p> <p><u>Weapons Violations</u></p> <p>A student with a disability who carries a weapon to school or a school function may be removed from his/her current placement and be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days without parent permission.</p>
--	--

