

Connecting the Dots for Disciplinary Actions: Student Behavior(s) to Discipline Charts

Considerations Regarding the Student:

- Is the student identified as a student with a disability or has the student been referred for a special education evaluation?
- Does the student have an IEP?
- Does the student have a behavior intervention plan?
- Is this a first occurrence for removing the student, including suspending the student, from the general education classroom?
- Has the student been removed from the general education classroom on several/multiple occasions?
- Is this a change of placement?

Considerations Regarding the Disciplinary Rules:

- Have you reviewed the requirements for removing a student when it is not a change of placement as found on *Discipline Chart 1*?
- Have you reviewed the definition of changing the student's placement as found on *Discipline Chart 2*?
- If the student's placement will be changed, have you followed the requirements regarding manifestation determination as detailed on *Discipline Chart 3*?
- If you are thinking of requiring a 45 day change of placement to the alternative school, did you review the reasons you may do so for Special Circumstances on *Discipline Chart 6*?
- If you believe that the definition for a removal due to Special Circumstances is met for the LEA to require the student to an interim alternative educational setting (IAES) for 45 days, it is the IEP Team that determines the IAES and the appropriate educational services. Refer to *Discipline Chart 4*. Remember that the student will return to the school environment he or she was removed from on day 46, unless the IEP Team determines another least restrictive environment is appropriate. The school system is not required to use its authority to remove a student for 45 days. It could opt to go to *Discipline Chart 3* for changing the student's placement instead.

- Either the parent or the school system may request a due process hearing regarding whether the student should return to the environment from which he or she was removed for Special Circumstances. The State Hearing Officer will decide whether the student must return to the environment from which he or she was removed prior to the end of the 45 day period. “Stay put” is the IAES unless the 45 days has expired or the parent and school system agree otherwise or the Hearing Officer determines the student’s placement. The Hearing Officer may order the student to remain in the IAES for up to another 45 day period or that the student should be returned to the environment from which he or she was removed.

Considerations for Students Who Have Been Removed Several/Multiple Times:

- Has the student been suspended for 10 days or more and were services provided?
- How many days has a student been suspended and for what reasons? (Is there a pattern of behavioral concerns?)
- Is it time to investigate what is happening, i.e. through conducting or reviewing a Functional Behavior Assessment, through developing or revising a Behavior Plan?
- Has the student been appropriately identified or are further assessments needed? Remember that though a student can have any educational need met once the student is identified as a student with a disability, the label can shape the IEP Team’s opinions as to what services may be appropriate.
- Is this a student who is protected but not yet eligible as found in *Discipline Chart 5*? Are evaluations being expedited?
- Has the student’s disciplinary disposition been appropriately coded in STI Office? Does this match the notices that were sent to the parent?
- Does the “paper trail” accurately reflect what has happened?