

Discipline for Students with Disabilities

I. IEP Meeting Participants (SPED)

Core Team members include:

- Parent
- Regular Education Teacher
- Special Education Teacher
- ODR

Other members may include:

- Student
- Pupil Appraisal
- Related Service Providers
- School Nurse

Parents have the right to invite:

- Outside service providers
- Advocate
- Attorney
- Friend/Family member

IAP Meeting Participants (504)

Core Team members include:

- Parent
- Regular Education Teacher
- 504 Chair person
- ODR

Other members may include

- Student
- Pupil Appraisal
- Related Service Providers
- School Nurse
- SBLC Chairperson

Parents have a right to invite:

- Outside service providers
- Advocate
- Attorney
- Friend/Family Member

NOTE: Principals/ODRs must contact the Director of Special Education to request any other participants--this includes requesting an IEP Facilitator.

NOTE: IEP/IAP team can *consult* with CWA for information or guidance regarding additional resources.

II. Discipline Ladder - Steps I through V

IEP/IAP team should continue to be reconvened throughout the Step 1 – 5 Intervention Process in order to review student’s Behavior Plan, review behavioral data, and adjust/amend accordingly. Potential disciplinary actions and/or potential changes in placement will be addressed by IEP/IAP teams and/or MDR teams.

Students with disabilities **should not** be kept out of school pending meeting with parent at any step in the discipline ladder.

Once a student has been removed for 10 days in a school year, additional days of suspension constitute a change in placement and a MDR **must** be convened.

Step V meeting may be held by CWA with the administrator, student, and parent. This meeting should focus on providing interventions and resources to assist the student in order to create a greater chance of success within the school environment. Step V meeting **should not** address potential disciplinary actions and/or potential changes in placement.

III. Expulsion Hearing (Due Process) - Step VI

Hearing Officer conducts the meeting to determine if Code of Conduct was violated and TPSS Policies and Procedures were followed. At this meeting, a recommendation for placement can be made by the CWA Hearing Officer with the understanding that the IEP/504 team determines final placement (See MDR Section Below). **MDR must be convened.**

IV. Manifestation Determination Review (MDR)

Participants:

Core IEP/IAP Team Members

*(Disciplinarian involved in the expulsion referral **should not** serve as the ODR)*

FBA Social Worker (SPED students) / 504 Coordinator (504 students)

The MDR for a student with a disability should be scheduled with the FBA Social Worker or 504 Coordinator **AFTER** the school completes their full investigation.

This Meeting **MUST** take place within 10 days of the recommendation for change of placement.

If Team determines behavior to be a manifestation of the student's disability:

-Core IEP/IAP Team reconvenes IEP/IAP to determine placement, services, and supports

If Team determines behavior is NOT a manifestation of the student's disability:

IEP/IAP Team will determine if site placement recommended by CWA can provide FAPE in accordance with the IEP/IAP. ***** Communication between FBA Social Workers / 504 Coordinator and CWA is an essential element throughout this entire process.**

When the MDR is held due to drugs/weapons/serious bodily injury:

If Team finds this to be a manifestation of the disability, then the student may be placed in an alternative setting for up to 45 school days. IEP/IAP Team will be reconvened, if necessary, to determine if data supports additional placement at the alternative school.

If team finds this NOT to be a manifestation of the disability, then the La. R.S. 17:416 applies.

NOTE: *Such students remain entitled to receive a Free and Appropriate Public Education (FAPE) and the IEP/IAP Team will be convened to determine provision of services.*

V. Students returning to School From a Secure Facility

Participants:

Core IEP/IAP Team Members

FBA Social Worker (SPED students) or 504 Coordinator (504 Students)

The school administrator or designee should contact the releasing facility to request all necessary discharge paperwork in order for the IEP/IAP Team to appropriately plan for the student's transition.

If the student's placement in a secure facility resulted from a school incident, an MDR must be completed upon student's release. (Refer to MDR Proceedings in Section IV)

VI . Transition Meeting to Home-based school from TASP/Homebound

Participants:

Core IEP/IAP Team Members

FBA Social Worker (SPED Students) or 504 Coordinator (504 Students)

Reconvene the IEP/IAP Team meeting to address any behavioral concerns, and to determine the need for appropriate supports and services. The IEP/IAP meeting is to be held at the home-based school.

NOTE: Probationary behavior contracts **DO NOT APPLY** to special education or 504 students.