

# **Teacher Disciplinary Actions**

- Teachers may exclude a disruptive student for the remainder of that class and for up to the following two days from their class without conferring with the principal or designee
- The teacher must have first tried other corrective actions
- The student may not go back to that teacher's class without the consent of the teacher unless the teacher and administrator have conferred and another disciplinary action has been imposed. ESSB 5946

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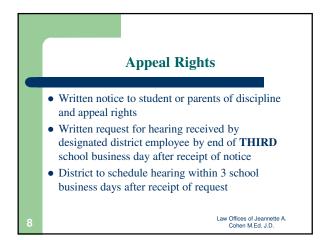
# **Grievance Procedures for General** Discipline

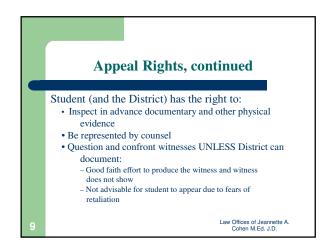
- Student has right to informal conference with principal or designee
- Subsequent to discipline with 2 school business days notice-right to present written and/or oral grievance to superintendent or designee
- If not resolved—2 school business days notice appeal to board or designee
- Board notifies with response within 10 school business days Discipline continues pending appeal
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# Expulsion

- Denial of attendance for an indefinite period of time
- Denial of admission or entry onto real and/or personal property of the district
- Nature and circumstances must reasonably warrant the discipline imposed
- Other corrective action or punishments reasonably calculated to modify conduct tried and failed or good reason to believe they would fail
- Student must be allowed to apply for readmission under specified standards

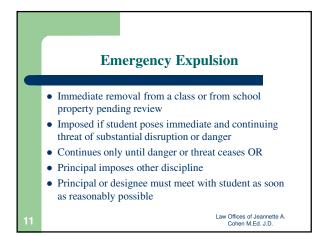


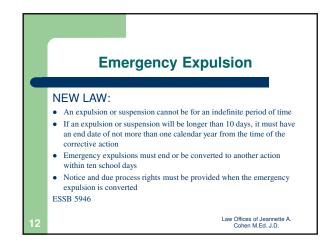


# Appeal Rights, continued

Student Rights, continued

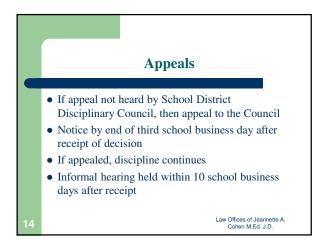
- Present own explanation
- Present witnesses and documentary evidence
- Have unbiased hearing officer
- · Have hearing tape-recorded or verbatim report
- Receive a written report

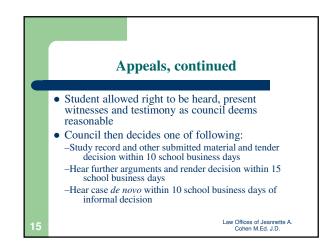


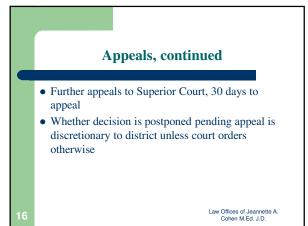


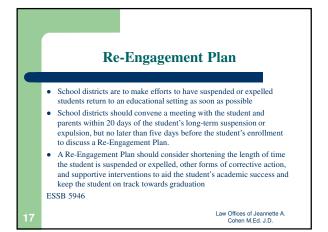
# **Emergency Expulsion Hearing**

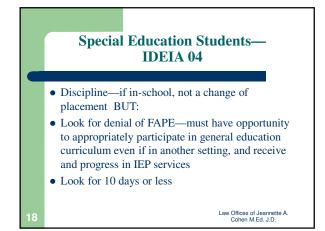
- Same rights as above BUT
- Parents and student notified in writing within 24 hours through hand delivery with signature or certified mail
  Request for hearing received by end of TENTH school
- business day
- Hearing held by end of third school business day after receipt of request
- Hearing decision within one school business day after hearing concludes











# **IEP Consideration of Special Factors**

## The IEP Team shall:

• In the case of a student whose behavior impedes the student's learning or that of others, *consider when appropriate*, strategies, including positive behavioral interventions, strategies, and supports to address that behavior

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# IDEIA 2004 and IDEA 1997

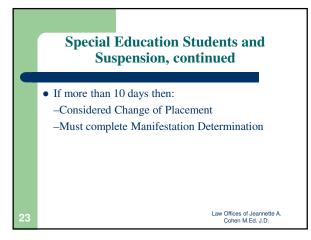
- Provide for positive behavioral interventions and supports, and other strategies to address that behavior
- Retained from IDEA 97 basic rights of FAPE, Manifestation Determination, Functional Behavior Assessment, and Behavior Intervention Plan

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# Special Education Students and Suspension

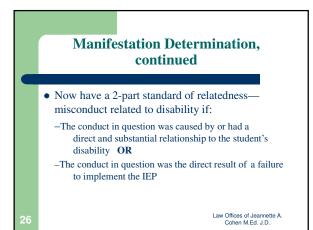
- School may suspend or remove a disabled student who violates a code of student conduct for no more than 10 school days
- Note: IDEA 97 Allowed for a series of short-term suspensions UNLESS the series of removals constitute a pattern—look to length of each removal, total amount of time, proximity of removals to one another





# **Manifestation Determination**

- Evaluation of relationship between student's disability and act of misconduct
- Completed by IEP team or other qualified personnel within 10 days of the removal
- Required by both IDEIA and 504
- If manifestation found, discrimination to apply discipline

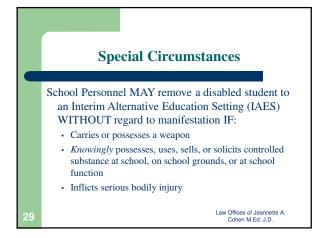


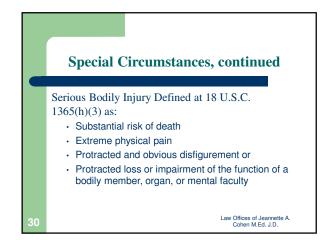


# **Determination of Manifestation**

### **District then must:**

- · Conduct or Review a Functional Behavioral Assessment
- Implement or Review a Behavior Intervention Plan
- Unless there are special circumstances OR agreement of IEP team, return student to previous placement







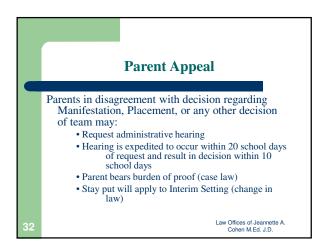
• No more than 45 school days

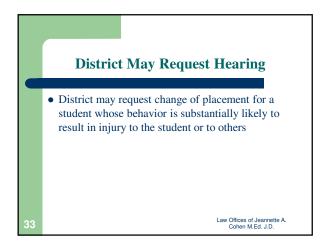
Must be appropriate:

 Allow student to participate in general curriculum, although in another setting

- Progress towards meeting goals and objectives on IEP
   Receive a Functional Behavioral Assessment and
- Behavior Intervention Plan – Provide services and modifications to address behavior
- Provide services and modifications to address behavior which triggered removal to insure the behavior does not recur

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# **Hearing Officer**

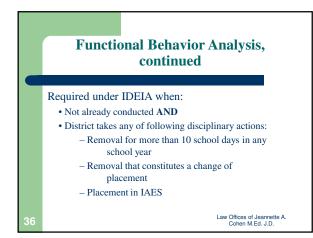
# Hearing Officer May:

- Return the disabled student to previous setting
- Order a change of placement of student to IAES for 45 school days IF maintaining the student's placement is substantially likely to result in injury to the student or to others

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# **Functional Behavior Analysis (FBA)**

- Variety of techniques and strategies to diagnose cause and identify interventions to address problem behaviors
- Identify target behaviors, antecedents, consequences, hypotheses, interventions



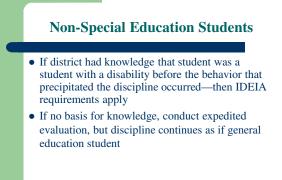
# **Behavior Intervention Plan (BIP)**

- Required when behavior impedes learning of student or others
- Based on FBA

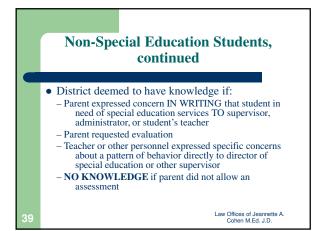
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- Data taken across settings
- Must include positive behavioral interventions, strategies, and supports that address the behavior
- Specify target behaviors to increase or decrease
  - Specify intervention

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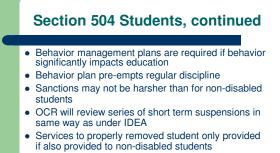
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# Section 504 Students

- If removal is more than 10 days, district required to conduct manifestation determination
- If behavior unrelated to disability, student is disciplined as any non-disabled student
- If behavior is manifestation of disability, discipline may not change placement (more than 10 days)

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In-school suspensions reviewed as under IDEA

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