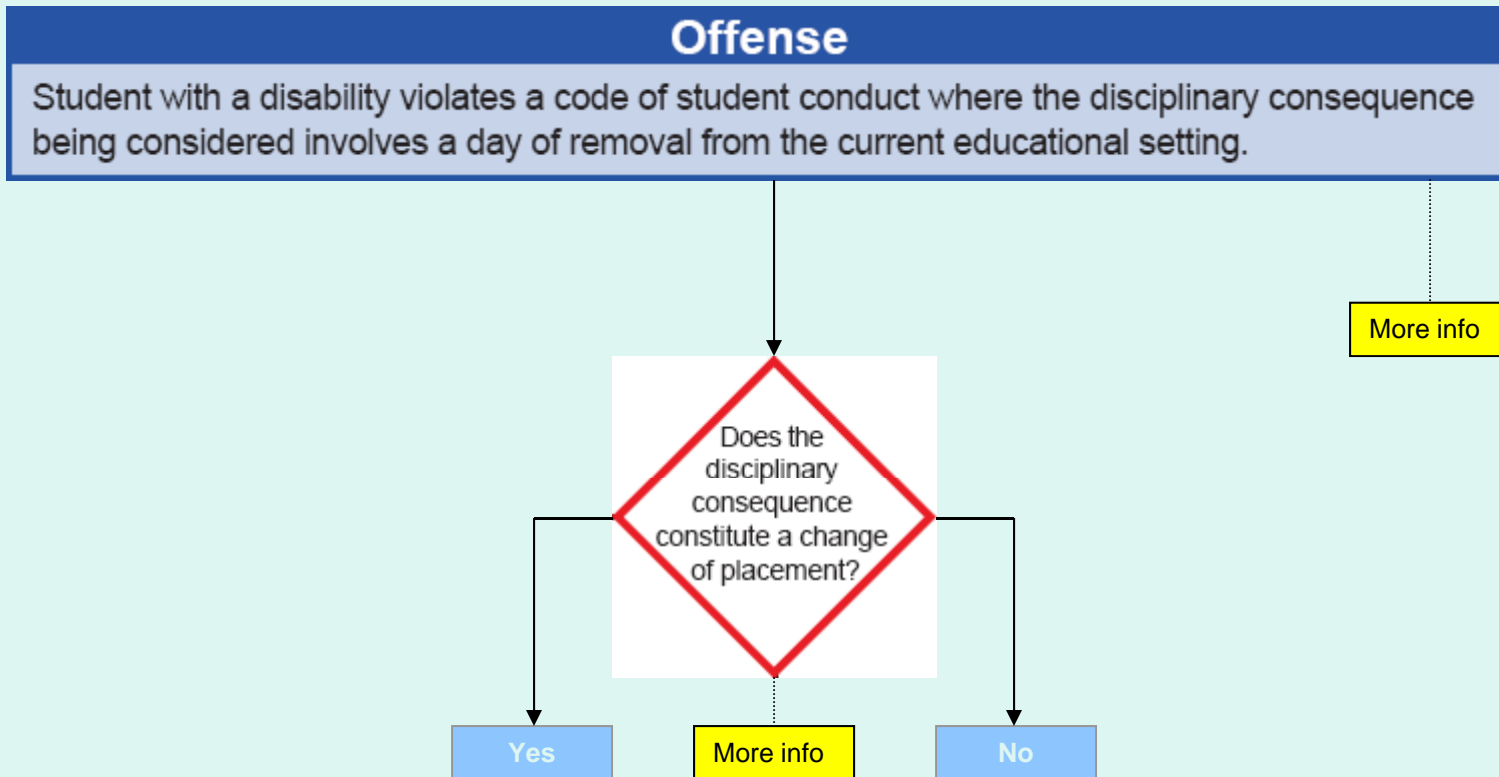
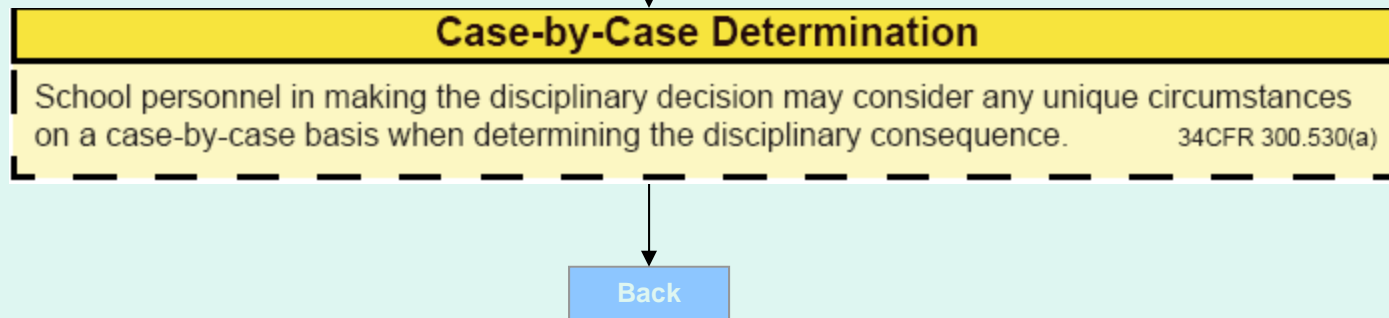


DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Change of Placement

The determination of whether a pattern of removals constitutes a change of placement is made on a case-by-case basis based on the following criteria:

- (1) The removal is for more than 10 consecutive school days; or
- (2) The student has been subjected to a series of removals that constitute a pattern:
 - Because the series of removals total more than 10 school days in a school year;
 - Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

34CFR 300.536

Texas Clarification

Under Texas statute a suspension may not exceed three school days.

34CFR TEC 37.005

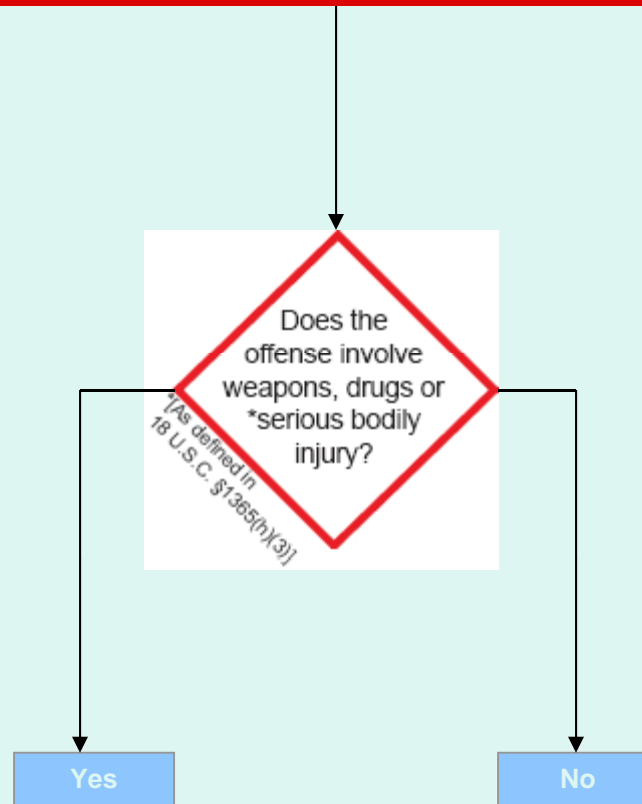
Back

KEY

-  - Decision Point
-  - Clarification
-  - Action



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Interim Alternative Education Setting (IAES)




School personnel may remove the student to an IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability.

34CFR 300.530(g)

More info

Continue

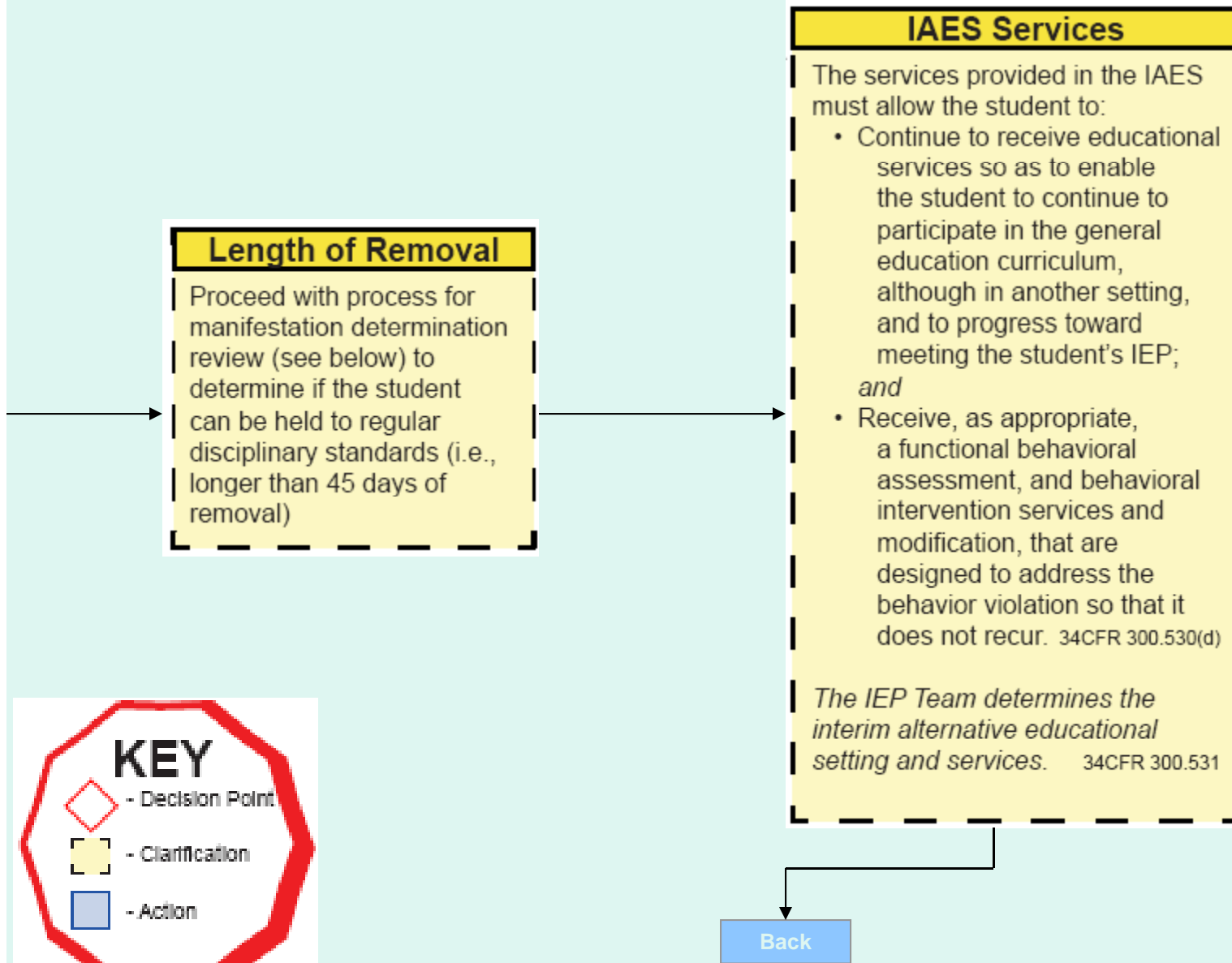
KEY

-  - Decision Point
-  - Clarification
-  - Action

Start Over



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Parent Notification

Timeline: On the date on which the decision is made to make a removal that constitutes a change of placement.

Action: The parents must be notified of:

- The disciplinary decision
- Procedural safeguards

34CFR 300.530(h)

IEP Team Meeting: Manifestation Determination Review

Timeline: Within 10 school days of any decision to change the placement of a student with a disability.

Action: The LEA, the parent, and relevant members of the student's IEP Team (as determined by the parent and the LEA) must conduct a manifestation determination.

34CFR 300.530(e)

More info

Is the behavior a manifestation of the student's disability?




Yes

More info

No

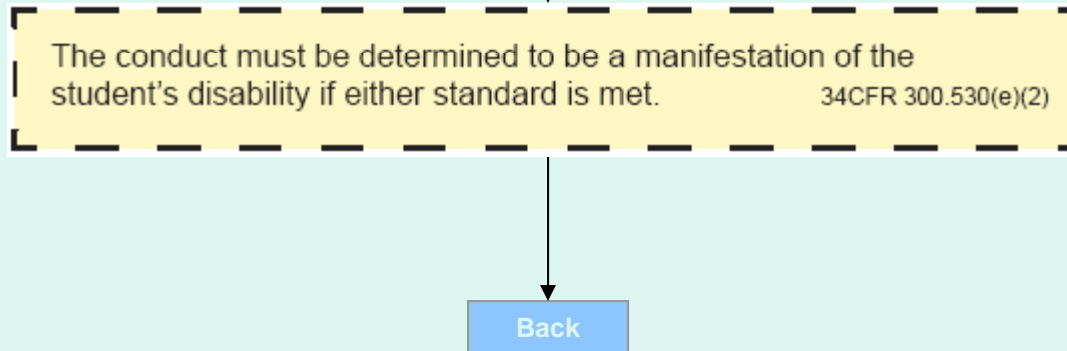
Start Over

KEY

-  - Decision Point
-  - Clarification
-  - Action



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Discipline: Is Manifestation

Return the student to the placement from which the student was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavior intervention plan. 34CFR 300.530(f)(2)

If the conduct in question was found to be the direct result of the LEA's failure to implement the IEP, immediate steps must be taken to remedy deficiencies. 34CFR 300.530(e)(3)

If the conduct in question involved drugs, weapons, or *serious bodily injury, the student may be removed for a period of up to 45 school days. *[As defined in 18 U.S.C. §1365(h)(3)]

Continue

Start Over

KEY

-  - Decision Point
-  - Clarification
-  - Action



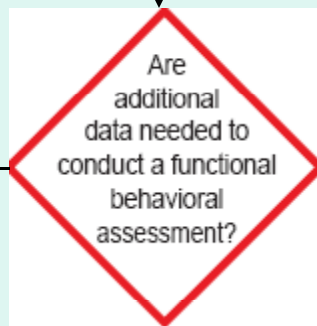
DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

FBA/BIP

The IEP Team must either:

- Conduct a functional behavioral assessment (FBA), unless the LEA had conducted an FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the student; or
- If a BIP already had been developed, review the BIP, and modify it, as necessary, to address the behavior.

34CFR 300.530(f)(1)



Yes

No



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Develop the BIP

End of Process



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Obtain parental consent, if necessary

Collect additional data

Convene IEP Team meeting to develop the BIP

End of Process



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Discipline: Not Manifestation

Relevant disciplinary procedures may be applied in the same manner and for the same duration as the procedures would be applied to students without disabilities. 34CFR 300.530(c)

IAES Services

The services provided in the IAES must allow the student to:

- Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the student's IEP; and
- Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

34CFR 300.530(d)(1)




The IEP Team determines the appropriate setting and services.

34CFR 300.530(d)(5)

End of Process

Start Over

KEY

-  - Decision Point
-  - Clarification
-  - Action

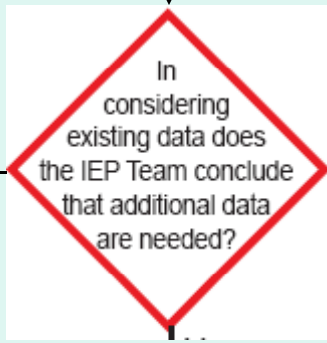
DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Information to Consider

Review all relevant information in the student's file, including:

- The student's IEP
- Any teacher observations
- Any relevant information provided by the parents

34CFR 300.530(e)



Yes

No

KEY

-  - Decision Point
-  - Clarification
-  - Action



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Develop plan for collecting data and set timeline to reconvene IEP Team meeting.

Obtain parental consent, if necessary

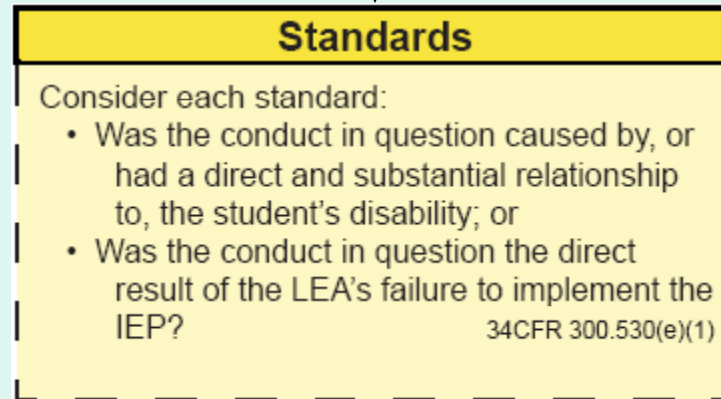
Collect additional data

Reconvene IEP Team meeting to continue manifestation determination review

Continue



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

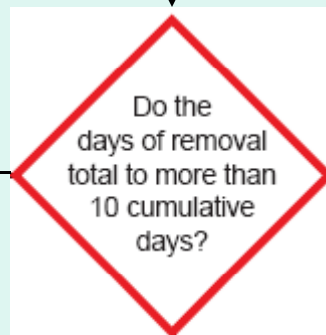


Last Action

This diagram shows a blue rectangular box with the text "Last Action" centered inside.



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES



Yes

No



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Service Obligations: Non Change of Placement in Excess of 10 School Days

For each day in excess of 10 school days (that do not constitute a change of placement) the LEA shall provide services that enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. *(The determination of the extent to which services are needed is made by school personnel, in consultation with at least one of the student's teachers.)* 34 CFR 300.530(d)(4)

End of Process



DISCIPLINE FLOWCHART FOR STUDENTS WITH DISABILITIES

Disciplinary Consequence

School personnel may remove the student from his/her current placement to an appropriate Interim Alternative Educational Setting (IAES), or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to the student without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement). 34CFR 300.530(b)

Services

The LEA is not required to provide services to the student during removals of 10 or less school days unless services are provided to students without disabilities who are similarly removed. 34CFR 300.530(d)(3)




Intervention

If the student's behavior impedes the student's learning or that of others, the IEP Team must consider the use of positive behavioral interventions and supports, and other strategies, to address the behavior. 34CFR 300.324(a)(2)(i)

End of Process

Start Over

KEY

-  - Decision Point
-  - Clarification
-  - Action

