



Section: PUPILS  
 Title: DISCIPLINE OF STUDENTS WITH DISABILITIES  
 Adopted: September 21, 2004  
 Revised:

	<b>216.1. DISCIPLINE OF STUDENTS WITH DISABILITIES</b>	
1. Purpose	<p>Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and to reduce identified inappropriate behaviors.</p> <p>Students with disabilities who engage in inappropriate behavior, disruptive activities and/or actions injurious to themselves or others shall be disciplined in accordance with their Individualized Education Program, a behavioral intervention plan and Joint Operating Committee policy.</p>	<p>Title 22 Sec. 14.36</p>
2. Authority	<p>The Joint Operating Committee directs that the district shall comply with provisions of the Individuals with Disabilities Education Act (IDEA) and State regulations when disciplining students with disabilities for violations of Career and Technology Center policy and school rules and regulations.</p> <p>During any period of disciplinary action, the student shall continue to receive a free and appropriate education, in accordance with federal law.</p>	<p>20 U.S.C. Sec. 1400 et seq. Title 22 Sec. 14.35</p> <p>20 U.S.C. Sec. 612a (1) (A)</p>
3. Guidelines	<p>A disabled student may be suspended for an aggregate of ten (10) days of school per year, regardless of whether the student's behavior is a manifestation of his/her disability, except that the student shall continue to receive appropriate educational services during the period of suspension.</p> <p>No student with a disability shall be recommended for expulsion if 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 recommended for expulsion pursuant to Career and Technology Center procedures, except that the student shall continue to receive appropriate educational services during the period of expulsion.</p> <p>A hearing officer may order removal to an alternative setting for forty-five (45) days where the Career and Technology Center demonstrates by substantial evidence that maintaining the disabled student's current placement is substantially likely to result in injury to the student or others.</p>	<p>20 U.S.C. Sec. 1415 (e) (3)</p>

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**Weapons Violations**

A disabled student who carries a weapon to school or a school function may be removed from his/her current placement. The student shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days.

According to statute, **weapon** shall be defined as a device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

**Drugs/Controlled Substances Violations**

A disabled student who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his/her current placement. The student shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days.

20 U.S.C.  
Sec. 3357 et seq.

