

SUSPENSION OF DISABLED STUDENTS

1. Short-Term Suspensions

The school district may suspend a disabled student for a period of ten consecutive school days or less for any conduct that would warrant suspension for a non-disabled student. The school district will follow its policy and procedures for the suspension of non-disabled students in conjunction with the short-term suspension of disabled students.

2. Long-Term Suspensions

Before implementing the suspension of a disabled student for more than ten consecutive school days, the school district will notify the student's parent or guardian in writing of the proposed suspension and convene a meeting of the student's I.E.P. team. The I.E.P. team will determine whether additional evaluation of the student is necessary and whether the misbehavior for which suspension is proposed is caused by the student's disability.

3. Emergency Suspensions

If the student poses an immediate threat to his or her own safety or to the safety of others, the school district may immediately suspend the student for up to ten school days. During the suspension period, the student's I.E.P. team will meet to determine whether the misbehavior is caused by the student's disability and whether further evaluation is necessary.

4. Relationship Between Misbehavior and Disability

A. Misbehavior Caused by Disability

If the I.E.P. team determines that the student's misbehavior is caused by his or her disability, the team will consider whether the student's current educational placement is appropriate and what, if any, modifications to the I.E.P. should be made. These modifications may include a more restrictive placement. If the I.E.P. team determines that the student's placement should be modified, the school district will give the student's parent or guardian written notice of the proposed modification and allow at least ten calendar days for response. The school district will also advise the parent that the student is entitled to all due process procedures available under the Individuals With Disabilities Education Act ("IDEA") and applicable state policies and procedures. The school district will maintain the student's current placement during the ten-day period, unless the student's parent or guardian agrees to the modification before the period expires or an emergency suspension is necessary under Section 3 or 5 of this policy. If the I.E.P. team determines that the student's disability caused his or her misbehavior, the school district will not suspend the student as discipline for the misbehavior.

B. Misbehavior Not Caused by Disability

If the I.E.P. team determines that the misbehavior is not caused by the student's disability, the child may be suspended from school as discipline for the misbehavior. If the school district proposes a suspension that will cause the student's days suspended to total more than ten during the current school year, the

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school district will give the student's parent or guardian written notice of the proposed suspension and allow at least ten calendar days for response before implementing the suspension. The school district will also advise the student's parent or guardian that the student is entitled to all due process procedures available under the IDEA and applicable state policies and procedures, as well as the due process rights available to a disabled student for whom suspension has been recommended. The school district will not implement the suspension during the ten-day period, unless the student's parent or guardian agrees to the suspension before the period expires or an emergency suspension is necessary under Section 3 or 5 of this policy.

5. Stay Put

If either the student or the school district initiates due process proceedings under the IDEA, the student will remain in his or her current educational placement until those proceedings have been completed, unless the school district and the parent or guardian agree otherwise. However, if the student poses an immediate threat to his or her own safety or the safety of others, the school district may bring a civil action to enjoin the student from attending school for the duration of the due process proceedings or to seek other appropriate relief.

6. Continuing Educational Services

The school district will not provide educational and/or related services to disabled students during short-term suspensions. The school district will provide appropriate educational and/or related services during long-term suspensions to any student who is categorized as disabled under the IDEA, whether or not the student's misbehavior is caused by his or her disability. The student's I.E.P. team will determine an appropriate educational program for the student during the term of the suspension.

7. Multiple Suspensions

The school district may suspend a disabled student for multiple periods of ten consecutive school days or less. When the student has been suspended for a total of 11 days during the current school year, the school district will implement the procedures described in Sections 2 and 4 of this policy for any subsequent suspension.

8. Suspension from Transportation

The school district may suspend a disabled student from transportation as a disciplinary measure. During the period of the suspension, the school district will reimburse the student's parent or guardian or his or her designee for the reasonable cost of transporting the student to and from school.