

SPECIAL EDUCATION PROCEDURE	
District Name	Warren Woods Public Schools
Subject/Topic of This Procedure	<p>Disciplining Students with Disabilities: Provision of FAPE After Disciplinary Removals</p> <p>See separate but related procedures for more specific guidance and detailed information relative to <i>Discipline: General Provisions, Analysis of the Pattern of Removals/Determining a Change of Placement, Manifestation Determination Review, Interim Alternative Educational Settings, and Protections for Students Not Yet Eligible for Special Education.</i></p>
Date Procedure was Adopted or Revised	06/19/2023

Legal Requirement with Citation	<p>§300.530 of the Individuals with Disabilities Education Act (IDEA) describes the discipline procedures for students with IEPs. After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the school district must provide services to the student. These services must allow the student to continue to participate in the general education curriculum, although perhaps in another setting, and to progress toward meeting the goals set out in the student’s IEP.</p> <p>A school district is only required to provide services during periods of removal to a student with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.</p> <p>After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the child’s teachers, determine the extent to which services are needed. If the removal is a change of placement, the child’s IEP Team determines appropriate services.</p>
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<p>Under what circumstances will this procedure be used?</p>	<p>This procedure will be used by administrators and other school personnel when disciplining students with disabilities and taking resulting required actions. Specifically, this procedure will be used after the district has conducted an Analysis of the Pattern of Removals and determined whether the current removal constitutes a disciplinary Change of Placement.</p>
<p>Who will implement this procedure?</p>	<p>Building administrators, special education case managers, and other school personnel involved in disciplinary removals and provision of services to students who have been removed from school</p>
<p>Describe the steps in this procedure.</p>	<p>A disciplinary "removal" means that, as a result of a behavioral violation, the student is denied the opportunity to progress in the general curriculum, progress in the annual goals or short-term objectives of the IEP, and/or to receive a free, appropriate, public education (FAPE) as defined in the IEP.</p> <p>When a student with a disability is being removed from school for disciplinary reasons for more than 10 school days in one school year, all of the following steps shall apply:</p> <ol style="list-style-type: none"> 1. The school district must conduct an Analysis of the Pattern of Removals (i.e., Discipline Review Worksheet) to determine whether the current removal constitutes a disciplinary Change of Placement. See separate procedure regarding <i>Analysis of Pattern of Removals/Determination of Change of Placement</i> for more detailed information. 2. If the Analysis of the Pattern of Removals (i.e., Discipline Review Worksheet) determines that the current removal does not constitute a change of placement, the district may proceed with the disciplinary removal. However: <ol style="list-style-type: none"> a. FAPE must be provided for any days of removal beyond 10 (i.e., beginning with the 11th day of removal or any fraction thereof) and must continue to be provided for every subsequent day of removal within one school year. b. FAPE must be determined by an administrator in consultation with at least one of the student's teachers. This determination must be documented.

	<p>c. FAPE must address not just core academics, but also non-academic classes and related services.</p> <p>d. The provision of FAPE must be documented.</p> <p>3. If the Analysis of the Pattern of Removals determines that the current removal does constitute a Change of Placement, all of the following apply:</p> <ol style="list-style-type: none"> a. FAPE must be provided for any days of removal beyond 10 (i.e., beginning with the 11th day of removal or any fraction thereof) and must continue to be provided for every subsequent day of removal within one school year. b. FAPE must be determined by the IEP Team. This determination must be documented. c. Services during removal must enable the student to continue to participate in the general education curriculum, although in another setting. d. Services during removal must enable the student to progress toward meeting the goals set out in the student’s IEP. e. FAPE must address not just core academics, but also non-academic classes and related services. f. The provision of FAPE must be documented. g. Services after removal must include, as appropriate, a functional behavioral assessment and behavioral intervention services/modifications that are designed to address the behavior violation so that it does not recur.
<p>What forms are necessary to implement this procedure?</p>	<ul style="list-style-type: none"> • The results of the Analysis of the Pattern of Removals (i.e., completed Discipline Review Worksheet) • The student’s current IEP and schedule • Form for documenting the determination of FAPE after removal (who participated in the decision and what services will constitute FAPE) • Form for documenting the delivery of FAPE after removal (service log or other district-approved form)
<p>How, when and by whom will this procedure be consistently documented?</p>	<p>For removals that <u>are not</u> a disciplinary Change of Placement, the decision about what services will constitute FAPE after removal will be documented by the student’s special education case manager using district-approved forms.</p> <p>For removals that <u>are</u> a disciplinary Change of Placement, the decision about what services will constitute FAPE after removal will be documented by the Special Education</p>

	<p>Administrator in collaboration with the student’s special education case manager, using district-approved forms.</p> <p>The provision of FAPE after removal will be documented by the Special Education Administrator in collaboration with the student’s special education case manager, using district-approved forms.</p>
<p>How, when and by whom will this procedure be routinely supervised?</p>	<p>Documentation of the determination of FAPE after removal and provision of FAPE after removal will be supervised by the Special education administrator via monthly review of a random sample of disciplinary records for students with IEPs who have been removed during the preceding month.</p>
<p>How, when and by whom will changes to this procedure be communicated?</p>	<p>Changes to this procedure will be communicated by the Special education administrator.</p> <p>Changes to this procedure will be communicated annually and as a result of MDE guidance.</p> <p>Changes will be communicated using the district website, hard copies to staff and during scheduled professional development.</p>