

Special Education Discipline Requirements

School Discipline Removal Results in a Total of: ▼	MDR meeting (Manifestation Determination Review)	Educational Services During Removal	FBA/BIP Development (or Review of an Existing BIP)	Reinstatement When a Manifestation of the Disability is Affirmed
≤ 10 days	No	Only if it is provided to other students. DOCUMENTATION: “Pattern of Removals” Form	No, but school must follow any existing BIP.—DOCUMENTATION: BIP implementation if there is one.	NA
> 10 days, BUT NOT a Change in Placement	No	Yes, for all days OVER 10 in a school year. Services determined by teacher & admin. DOCUMENTATION: Complete the “Provision of FAPE Planning Form - Day 11 and After” for each day after ten, “Pattern of Removals” Form	Only if it is deemed appropriate for student. DOCUMENTATION: New BIP, FBA, etc. Amendment/IEP if BIP is in SAS in IEP; BIP implementation	NA
> 10 days AND a Change in Placement	Yes	Yes, for any on-going removal that follows a non-manifestation finding. Services are to be determined by IEP team and length of removal not limited. DOCUMENTATION: “Parent Assurance of Procedural Safeguards” Form, “MDR” Form, Invitation to parent, Letter of CIP, “Pattern of Removals” Form	Yes, if manifestation of disability is affirmed. If it is not affirmed, then FBA/BIP would only be developed if appropriate for the student. Possible DOCUMENTATION: FBA/BIP; IEP/Amendment; BIP implementation;	Yes, and must correct any deficiencies in IEP implementation that were discovered.
> 10 days AND a Change in Placement (due to “Special Circumstance”: Manifestation affirmed)	Yes	Yes for a period of up to 45 school days. Services determined by an IEP team and through an IAES (Interim Alternative Education Setting) DOCUMENTATION: IAES, “Parent Assurance of Procedural Safeguards” Form, “MDR” Form, Invitation to parent, Letter of CIP	Yes	No
> 10 days AND a Change in Placement; Manifestation affirmed, BUT likelihood of injury taken to Hearing Officer	Yes	Yes, for a period of up to 45 school days <u>if it is supported by Hearing Officer</u> . Services determined by IEP Team/HO via an IEAS. DOCUMENTATION: IAES, “Parent Assurance of Procedural Safeguards” Form, “MDR” Form, Invitation to parent, Letter of CIP	Yes	No

Change in Placement (CIP) occurs WHEN 1) Any SINGLE removal over 10 CONSECUTIVE school days; 2) A series of removals MORE than 10 days AND that constitute a Pattern of Removals; OR 3) “Special Circumstance” involving weapons or drugs, or serious bodily injury has occurred.

Manifestation of Disability: Behavior in question is DIRECTLY related to disability, or is related to a failure to implement IEP. **FBA:** Functional Behavior Assessment

BIP: Behavior Intervention Plan

Procedural Safeguards MUST be provided on the SAME DAY you decide it is a CHANGE IN PLACEMENT—Document this via the “Parent Assurance of Procedural Safeguards” Form