

# MONROE CAREER AND TECHNICAL INSTITUTE

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS  
WITH DISABILITIES

ADOPTED: 8/1/2005

REVISED:

<b>113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES</b>	
<p><b>1. Purpose</b> Title 22 Sec. 14.133</p>	<p>When necessary, behavior support programs shall be developed and maintained for students with disabilities in order to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors.</p> <p>Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others shall be disciplined in accordance with their Individualized Education Program (IEP), behavior support plan, and Joint Operating Committee policy.</p>
<p><b>2. Authority</b> 20 U.S.C. Sec. 1400 et seq 34 CFR 300.519-300.529 Title 22 Sec. 14.143</p>	<p>The Joint Operating Committee directs that the school shall comply with provisions of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Joint Operating Committee policy or school rules and regulations. No student with a disability shall be expelled if the student's particular misconduct is a manifestation of his/her disability.</p>
<p><b>3. Guidelines</b> Title 22 Sec. 14.143</p> <p>Title 22 Sec. 14.143</p> <p>34 CFR 300.524 Pol. 218, 233</p> <p>34 CFR 300.521, 300.522</p>	<p>A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, regardless of whether the student's behavior is a manifestation of his/her disability.</p> <p>Any removal from school is a change of placement for a student identified with mental retardation.</p> <p>A student with a disability whose behavior is not a manifestation of his/her disability may be expelled pursuant to Joint Operating Committee policy and school procedures.</p> <p>A hearing officer may order removal of a student with a disability to an alternative setting for forty-five (45) days where the school demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.</p>

<p><b>34 CFR 300.527, 300.528</b></p>	<p><b>Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the school did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation by the sending school district shall be expedited.</b></p>
<p><b>34 CFR 300.520 18 U.S.C. Sec. 930(g)</b></p>	<p><b><u>Weapons Violations</u></b></p> <p><b>A student with a disability 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, in cooperation with the sending school district.</b></p>
<p><b>34 CFR 300.520</b></p>	<p><b><u>Drugs/Controlled Substances Violations</u></b></p> <p><b>A student with a disability 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, in cooperation with the sending school district.</b></p>
	<p>References:</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq</p> <p>Individuals With Disabilities Education Act Federal Regulations Part 300, Sec. 300.519-300.529</p> <p>Title 18, U.S.C. Sec. 930</p> <p>State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143</p>