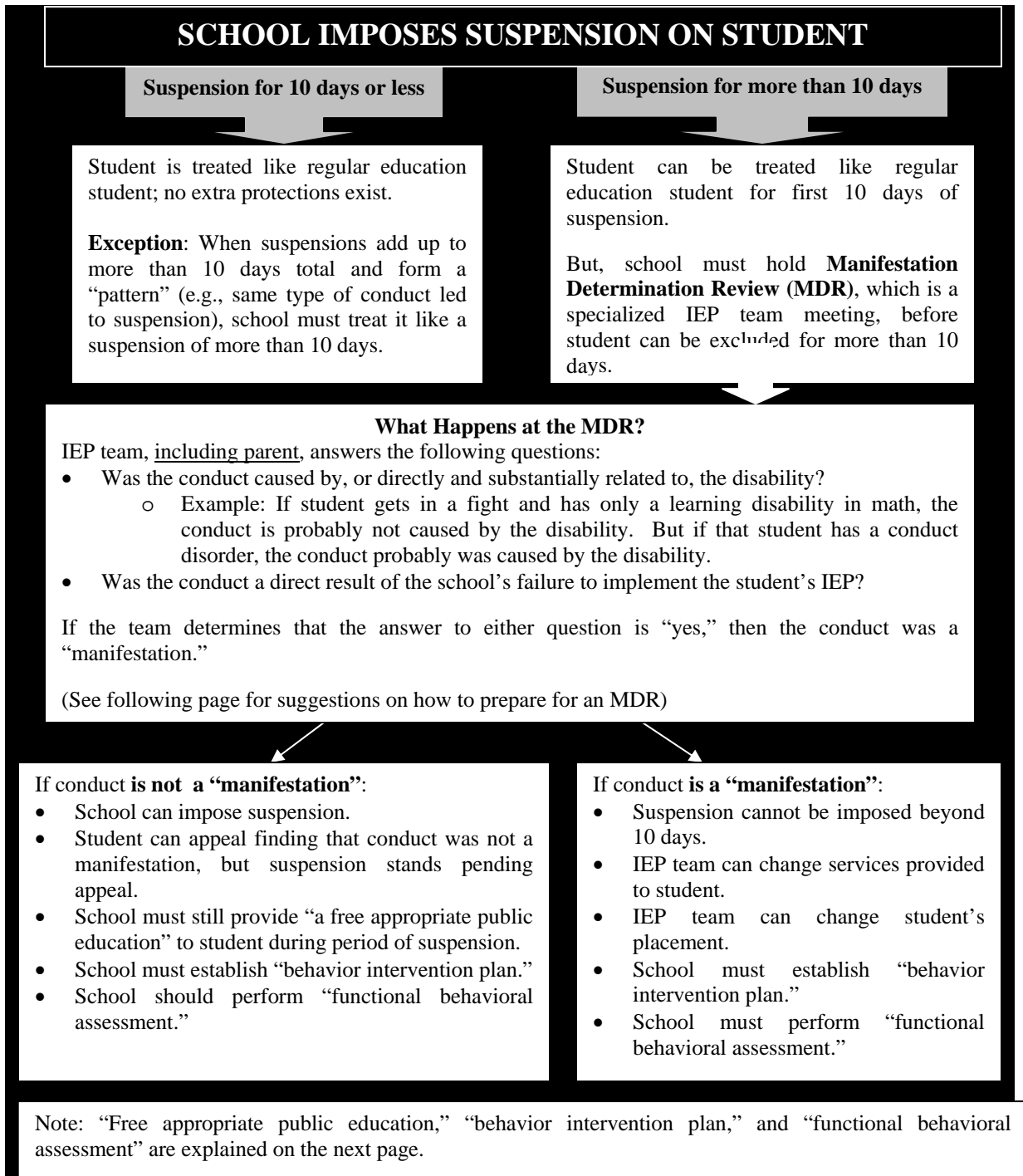


QUICK GUIDE: SCHOOL DISCIPLINE FOR SPECIAL EDUCATION STUDENTS

If a child has an Individualized Education Program (IEP) in place or has been referred for testing to determine if the student qualifies for special education services, the student has added protections from suspension or expulsion from school. The chart below summarizes those rights.



Note: Regardless of whether conduct was a “manifestation,” a student can be removed from school for 45 days if the student brought drugs or a weapon to school or caused serious bodily injury by their conduct. The student, however, must still be provided a “free appropriate public education” during the 45 days.

Key Terms in the Discipline Process for Special Education Students

Free, appropriate public education (FAPE)

Includes special education and related services, which allow the student to benefit from instruction provided under their IEP and make reasonable academic progress. (This term is explained in greater detail in the **QuickGuide: Special Education Rights**, which can be found in Section II of this packet.)

When a special education student has been suspended, the school will usually provide a FAPE in the form of home bound instruction, where a special education teacher provides one-on-one services to the child, either at home or somewhere else off school grounds (often the public library), for several hours a week.

Functional behavioral assessment (FBA)

An FBA is an evaluation tool designed to figure out the causes of behavior problems and to identify ways to prevent problem behaviors. By studying how the student responds to situations, what causes behavior issues, and what calms down behavioral episodes, the FBA informs strategies to reduce behavioral problems that are associated with a disability.

A good FBA would include observations of the student in the normal educational setting over a period of several days to two weeks by a trained professional who takes data on how the student responds or acts in different situations and with different stimulations and then analyzes trends or what seems to cause or reduce behavior problems in order to develop interventions to help the child behave better. More information on FBAs can be found online at <http://cecp.air.org/fba/problembehavior/main.htm>.

Behavior intervention plan (BIP)

A plan designed to reduce the likelihood of misconduct; identify supports or strategies that will improve behavior; establish steps to be taken when misconduct occurs (examples: redirection, changing child's environment); and identify consequences for misconduct. The BIP seeks to determine what legitimate goal (examples: seek attention; convey that they do not understand the materials) the student is trying to achieve through the misbehavior and how that goal can be achieved instead through appropriate behavior.

A BIP should be developed when an MDR has been held, regardless of whether the conduct was found to be a manifestation or not. A parent can request that a BIP be developed if they think their child's disability may lead to misconduct that could result in suspension.