
**DISCIPLINARY ACTION FOR SPECIAL ED STUDENT:
WEAPON AND/OR DRUGS SCHOOL VIOLATION,
SERIOUS BODILY INJURY
(SED-P016)**

WENATCHEE SCHOOL DISTRICT

1.0 SCOPE:

- 1.1 This outlines the procedure to follow when a Special Education student requires disciplinary action for possessing a weapon or drugs at school, or has inflicted serious bodily injury, and addresses the requirements of state and federal laws.

**The online version of this
procedure is official;
therefore, all printed versions
are unofficial copies.**

2.0 RESPONSIBILITY:

- 2.1 Director of Special Education, Assistant Director of Special Education, Building Principals, and appropriate staff members.

3.0 APPROVAL AUTHORITY:

- 3.1 Director of Special Education or Assistant Director of Special Education

4.0 DEFINITIONS:

- 4.1 Manifestation Documentation (MD) –review of student’s records when a student is facing a change in placement due to a disciplinary action to determine if the behavior that resulted in the disciplinary action is due either to the student’s disability or a failure to fully implement the student’s IEP.
- 4.2 Functional Behavior Assessment (FBA) - is a problem-solving process for addressing student behavior problems. It relies on a variety of techniques and strategies to identify the purposes of specific behavior and to help IEP teams select interventions to directly address the problem behavior. Functional behavioral assessment should be integrated, as appropriate, throughout the process of developing, reviewing, and, if necessary, revising a student’s IEP.
- 4.3 Behavior Intervention Plan (BIP) takes the observations made in a Functional Behavioral Assessment to develop an action plan for managing a student’s behavior. A BIP may include ways to change the environment, provide positive reinforcement, and provide supports needed to help the student make better choices. The IEP team, including the parents, is responsible for developing the plan. The IEP Manager is responsible for making sure all of the student’s teachers and other adults who work with the student have a copy of the plan and understand how to implement the plan.
- 4.4 Interim Alternative Educational Setting (IAES) – is a setting outside of the normal classroom where a student who has been suspended for disciplinary reasons will receive their educational opportunities. This setting could range from an in school suspension room to provision of services before or after school, in the home, or provision of home work that is picked up at and returned to the school on a regular basis. Student may receive and special and general education services.

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- 4.5 Individualized Education Program (IEP) - The IEP is a written statement of an educational program for a student eligible for special education that is developed and revised in accordance with state and federal guidelines (at least annually).
- 4.6 IEP Team — The team consists of a school psychologist, special education teacher, therapists working with the student, general education teacher, parent and student, if appropriate. The team is responsible for developing the student's IEP.

5.0 PROCEDURE:

- 5.1 Principal suspends student beyond 10 school days (consecutive or accumulative days).
 - 5.1.1 Regardless of the Manifestation Decision, a student who brings a weapon or drugs, or who commits serious bodily injury may be suspended a minimum of 45 school days.
 - 5.1.2 On the date the decision is made which constitutes a change of placement, the parent is notified and provided their rights for appeal through the General Education process and their rights for a Due Process Hearing through Special Education.
 - 5.1.3 Principal notifies the student's IEP Manager, School Psychologist, and Special Education administration.
- 5.2 The IEP team is convened within 10 days of the disciplinary action.
 - 5.2.1.1 The team, which includes the parents and the student, completes the MD process to determine if the behavior, which resulted in disciplinary action, is related to the student's disability.
 - 5.2.1.2 If the behavior is not related to the student's disability, the student may be disciplined, as are his/her General Education peers. The IEP team determines continued educational services.
 - 5.2.1.3 If the behavior is related to the disability, the student is placed in a 45-day IAES (for weapons, drug offenses, and serious bodily injury only).
- 5.3 Student placed in a 45-day IAES.
 - 5.3.1 Once the decision has been made that results in a change of placement, the IEP team determines where the 45 days placement will be and what services the student will be provided.
 - 5.3.2 Parents may request a Due Process Hearing if they disagree with the district's decision.
 - 5.3.3 The student disciplined for weapons, drugs or serious bodily injury stays in the 45-day IAES during the Hearing.
- 5.4 The district may seek a court injunction to continue the IAES for more than 45 days or the parents and district may agree to a longer term in the IAES.

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5.5 On return to school, the student's Behavior Intervention Plan is implemented.

6.0 ASSOCIATED DOCUMENTS:

- 6.1 IEP
- 6.2 Discipline Documentation
- 6.3 Notice of Procedural Safeguards for Special Education Students and Their Families SED-F006
- 6.4 Functional Behavioral Analysis
- 6.5 Manifestation Determination
- 6.6 Behavior Implementation Plan

7.0 RECORD RETENTION TABLE:

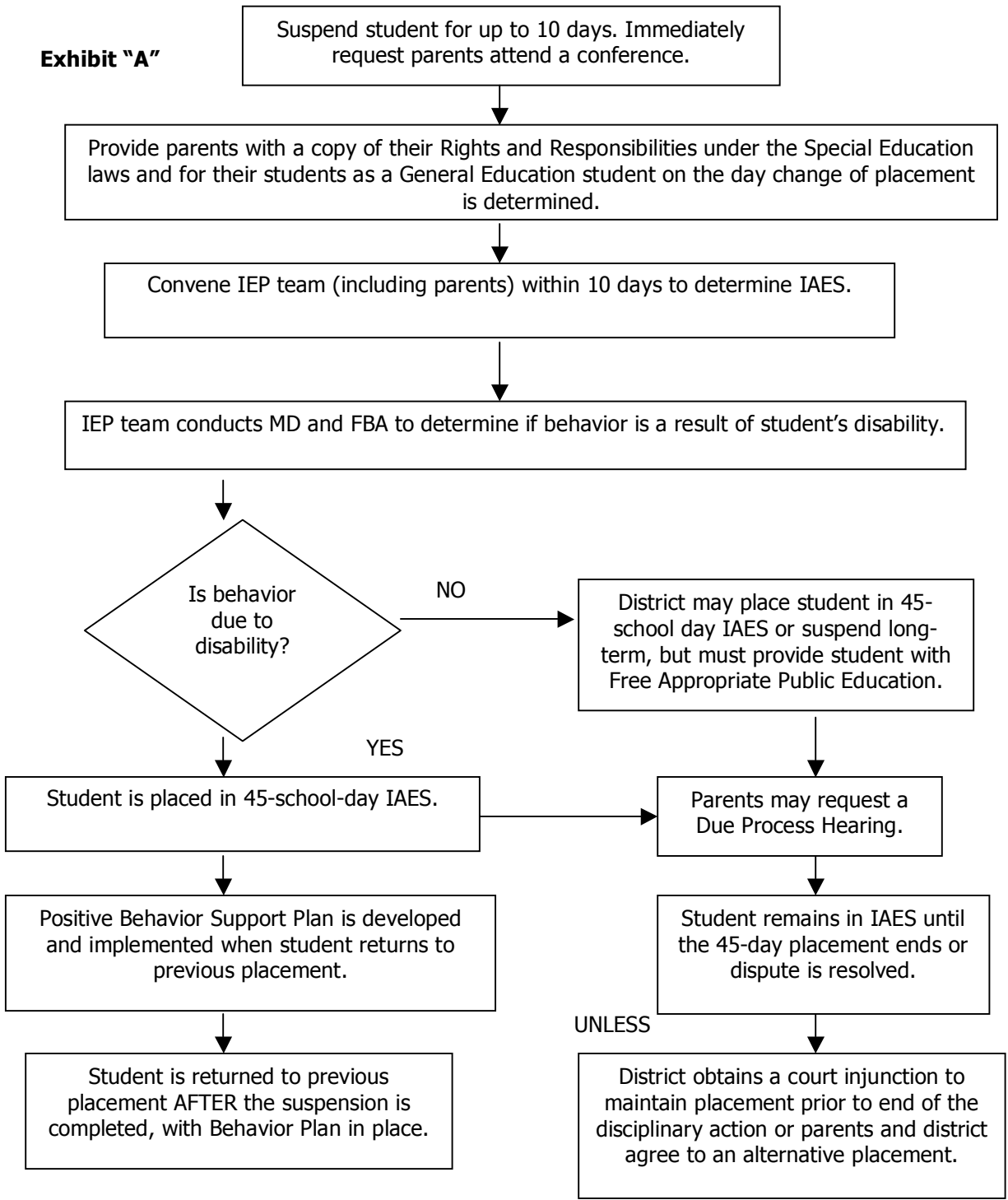
<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
All documents in 6.0 above	Special Education Cumulative File; Student's building site	According to state and federal guidelines, six years after services end	Letter sent to last known address; if no response, records destroyed after one month	Stored in one location; fireproof

8.0 REVISION HISTORY:

<u>Date:</u>	<u>Rev:</u>	<u>Description of Revision:</u>
11-May-01	A	Original Release
4-Feb-02	B	Updated protection information
16-Jan-03	C	Updated Approval Authority to include Assistant Director; updated form numbers and retention data
12-Sept-03	D	Updated records retention data, replacing seven years with six
04-Nov-04	E	Changed "student's twenty-first birthday" to "services end" in records retention table
07-Nov-07	F	To 5.2.2.1, added 'drug offenses, and serious bodily injury only'; to 5.3.1, clarified days as school days; to 5.3.3, added 'or serious bodily injury'.
22-Sept-08	G	Clarification of definitions

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* * End of procedure * *