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

WENATCHEE SCHOOL DISTRICT

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**1.0 SCOPE:**

- 1.1 This outlines the procedure to follow when a Special Education student requires disciplinary action for bringing a weapon or drugs to school, 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, MDT, 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 MD – Manifestation Documentation
- 4.2 FBA – Functional Behavioral Assessment
- 4.3 BIP – Behavior Intervention Plan
- 4.4 IAES – Interim Alternative Educational Setting
- 4.5 IEP – Individualized Education Plan
- 4.6 IEP Team — School Psychologist, Parent(s), and appropriate Special Education staff members.

**5.0 PROCEDURE:**

- 5.1 Principal suspends student beyond 10 school days.
  - 5.1.1 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.
  - 5.1.2 Principal notifies the student's IEP Coordinator, School Psychologist, and Special Education administration.
- 5.2 The IEP team is convened within 10 days of the disciplinary action.
  - 5.2.1 The team includes parents.
  - 5.2.2 The team completes the MD process to determine if the behavior which resulted in disciplinary action is related to the student's disability.
    - 5.2.2.1 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).

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5.2.2.2 If the behavior is not related to the student's disability, the student may be disciplined as are General Education peers.

5.3 Student placed in a 45-day IAES.

5.3.1 The placement starts the first day the student is suspended and ends on the 45<sup>th</sup> school day.

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.

5.3.4 The student is provided Free Appropriate Public Education during the suspension.

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.

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

**6.0 ASSOCIATED DOCUMENTS:**

6.1 IEP SED-F023

6.2 Discipline Documentation

6.3 Notice of Procedural Safeguards for Special Education Students and Their Families SED-F006

6.4 Functional Behavioral Analysis SED-F048

6.5 Manifestation Determination SED-F053

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

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**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'.

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**Exhibit "A"**

