3.09 Discipline of Students with IEP's and 504 Plans

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Students with disabilities who have Individualized Education Programs (IEP) have additional procedural safeguards rights regarding discipline. The points below are not a replacement for the full procedural safeguards notice which may be found here (https://www.lansingschools.net/downloads/special_education/procedural_safeguards_notice_550307_7.pdf) .

1. Students with IEPs may be disciplined for up to 10 school days. Educational services may be provided to the student, if the district provides services to all students who are similarly removed.

2. Prior to suspension, the suspending entity must consider the factors outlined in the Revised School Code at 380.1310(d).

3. When a student with an IEP is suspended for more than 10 days, on the date the school makes the decision to make a removal that is a change of placement of the student because of a violation of the Student Handbook, the school district must notify the parents of that decision and provide the parents with the procedural safeguards notice. The student is then entitled to a Manifestation Determination Review (MDR). Each suspension thereafter may require a MDR.

4. MDRs must be completed by parent(s)/guardian(s), school staff, and relevant members of the student's IEP team within 10 school days of the date of the decision to change the student's placement.

5. In-school suspension would not be considered a part of the days of suspension as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continues to receive services specified on the student's IEP, and continues to participate with non-disabled students to the extent they would have in their current placement.

6. For circumstances in which the student may be suspended for more than 10 days, consultation with the Special Education Department is encouraged.

Please see the disciplinary process for students with IEPs or 504 plans referred to in the Office of School Culture flowchart below.

