



Discipline Plan for Students with Disabilities

Disciplinary Considerations for Students with Disabilities under Individuals with Disabilities Act (IDEA) Special education students are not immune from the school's disciplinary process once placement procedures are properly followed.

Immediate removal of students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school pursuant to the process outlined in the "Suspension/Expulsion" section herein.

Temporary suspension (of not more than 10 consecutive school days) of students with disabilities may be imposed in accordance with the "Suspension/Expulsion" section herein, provided that the student is returned to the same educational placement after the temporary suspension, and unless a temporary suspension is prohibited pursuant to the student's IEP.

Students may be suspended, or removed to an appropriate interim alternative educational setting or another setting, for not more than 10 consecutive school days. Additional removals of not more than 10 consecutive school days may occur in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement pursuant to 34 CFR Sec. 300.536.

Removal to Interim Alternative Educational Setting. In accordance with 34 CFR Sec. 300.530(g) and (i), school personnel can remove a student to an interim alternative educational setting for not more than 45 school days without regard to a manifestation determination (described below), if the student (1) carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function; (2) knowingly possesses or uses illegal drugs, or sells them at school; (3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. The student's IEP team determines the interim alternative educational setting for services. Long-term suspension/expulsion.

Since the exclusion of a student with a disability from his/her education program for more than a total of ten (10) days during a school year may constitute a significant change in placement, the following considerations must be addressed:

- when considering long-term suspension or expulsion, an Individualized Education Program (IEP) Team must first determine whether the behavior of concern is a manifestation of the student's disability.
- to determine if the conduct in question is or is not a manifestation of the student's disability, the IEP Team must determine:
 - o If the conduct in question was a direct result of the school's failure to implement the IEP;
 - o If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability.
- if the IEP Team determines that the behavior is related to the student's disability, then no further disciplinary proceeding shall occur.

Recommendations: Review IEP, add services and support, develop/update FBA/BIP, and/or change services if appropriate.

- if the IEP Team determines that the behavior is not a manifestation of the student's disability, disciplinary actions may be taken in accordance with the procedures in Section VI herein, provided that a student with a disability who is removed from the student's current placement continues to receive special education and related services as provided in 34 CFR Sec. 300.530(d).
- Should the disciplinary procedures include long-term

suspension or expulsion, the school must continue to provide educational services, including access to the general education academic curriculum, as determined by the IEP.

- Any suspension that excludes a student from his/her IEP services must be counted when calculating the total number of suspension days (up to 10 cumulative days or beyond the ten days may constitute a change of placement).

- The decision to change a student from his/her IEP placement must be made on an individual basis.

- Cien Aguas International School will follow the federal guidelines regarding the provision of educational continuation services for suspended special education students.

- Special education students are entitled to a due process hearing if long-term suspension or expulsion is recommended.

- On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the school shall notify the parents of that decision, and provide the parents the procedural safeguards notice described in 34 CFR Sec. 300.504.

Appeals The parent of a student with a disability who disagrees with any decision regarding a disciplinary-related placement or the manifestation determination, may appeal the decision by requesting a hearing. If school administration believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, the school likewise may appeal the decision by requesting a hearing.

Cien Aguas International School also has various sources for Social Workers and behavioral Specialist. First, Cien Aguas International School contracts a .35 licensed social worker. This social worker comes in at least 2 days per week or more if needed. Teachers fill out referrals and the social workers meets with students and contacts parents as needed.

In addition to the contracted social worker, Cien Aguas International School has also signed contract with Taos Behavioral Health. This company supplies social workers and behavioral health specialist to our school. There are a 2-4 staff members at our school meeting with students, doing home visits and making sure they are receiving instruction in a LRE.

As a final resource, we contract the EASI, a local company that supplies the school with contractors on an as needed basis according to IEP's. Some of these contractors include Occupational therapists, social workers, physical therapists, speech therapists, etc.

The intent is to have these services available for all students in the school however, priority is given to students with disabilities in order to ensure that their IEP needs are meet and also ensure LRE.

The intended outcome of having Social Workers and behavior specialist in place is that students with disabilities will have their social and emotional needs met and they will also receive instruction in a least restrictive environment.

We will measure progress by taking a look at our IEP's and making sure Social and emotional needs of all of our students with disabilities are being met. We will also review data from committee members in IEP's to measure if students require more or less targeted time with social workers in order to achieve academic goals.