

Students

Administrative Procedure – Suspensions

The resident district of a student enrolled in a SEDOL program has the legal jurisdiction in matters of suspension. Misbehavior by students in SEDOL programs which endangers self, others, or property may result in a recommendation to the district of residence that the student be suspended for an aggregate of no more than 10 days during the school year in accordance with State and federal statutes.

1. At the first indication of a need to suspend a student, the teacher will immediately contact the SEDOL supervisor/principal (hereinafter administrator). Suspensions are a permissible educational procedure for students with disabilities in accordance with current State and federal guidelines. The SEDOL administrator will contact the district of residence administrator for permission to suspend, if that is the recommended disciplinary course of action. The SEDOL administrator will follow up with a notification letter to the parents and district that includes hearing rights, if student is attending school outside of the district of residence. Suspensions are not to exceed 10 days cumulative in any school year.
2. The first time a student is removed for more than 10 cumulative days during the school year, the SEDOL administrator shall, no later than 10 school days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior. If no behavior intervention plan is in place, the IEP team will develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan. In addition, the supervisor shall determine whether a change in placement has occurred necessitating a determination by the IEP team as to whether the student's conduct was a manifestation of the student's disability. In making this determination the supervisor shall consider (1) whether the child's behavior is substantially similar to the child's behavior in previous incidents resulting in suspensions and (2) the length of each removal, the total days of suspension and the proximity of the suspensions to one another.
3. For all subsequent removals of the student that do not constitute a change in placement, the IEP team must review the behavior intervention plan and its implementation. If any IEP team member indicates that the plan may need to be modified, the IEP team must be convened to review the plan and revise it, if appropriate. In addition, the supervisor must determine, consistent with the criteria in Paragraph 2, whether a change in placement has occurred necessitating an IEP meeting to conduct a manifestation determination review.
4. For all removals that exceed 10 cumulative days during one school year, SEDOL shall provide services to the student. School personnel, in conjunction with the student's teacher, shall determine the services to be provided. Such services must be designed to enable the student to progress in the general curriculum and IEP goals.

Expulsion Procedures

The resident district of a student enrolled in a SEDOL program has the legal jurisdiction in matters of expulsion. SEDOL policy does not provide for a recommendation of expulsion (i.e., permanent exclusion) for students with disabilities. This does not preclude a change of placement for a student as determined through the IEP process.

Weapon and Drug Offenses

When a student with a disability carries a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function, the district of residence may take one or more of the following steps:

1. Suspend the student from school for 10 school days or less.

2. Convene an IEP conference to: (a) determine placement in an interim alternative educational setting for up to 45 school days; (b) review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior, (if no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan); and (c) conduct a manifestation determination review. The student may be placed in an interim alternative educational setting even if the behavior is a manifestation of the student's disability.
3. The interim alternative educational setting must:
 - Enable the student to continue to progress in the general curriculum;
 - Enable the student to receive the services and modifications set forth in his/her IEP; and
 - Include services and modifications designed to address the misconduct to prevent it from recurring.
4. If the parent(s)/guardian(s) disagree with the interim alternative educational placement or with the District-proposed placement and a due process hearing is initiated, the student must remain in the interim alternative educational setting during the authorized review proceedings, unless the parent(s)/guardian(s) and the District agree on another placement.

Change of Placement if Maintenance of Current Placement is Likely to Result in Injury

In the event that maintenance of a student's current placement is likely to result in injury to the student or to others, the district of residence may seek an order from a court of competent jurisdiction or a State of Illinois Due Process Hearing Officer to change the student's placement to an appropriate interim alternative educational setting for one or more 45-day periods after convening an IEP meeting to:

1. Conduct a manifestation determination review.
2. Determine a proposed interim alternative educational setting that meets the necessary requirements.

The length of time a student with a disability is placed in an alternative educational setting must be the same amount of time that a student without a disability would be subject to discipline.

Dated: January 2016