

Students

Misconduct by Students with Disabilities

Behavioral Interventions

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The Executive Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities. The fundamental principle of this policy is that nonaversive or positive interventions designed to develop and strengthen desirable behaviors shall be used to the maximum extent possible and are preferable to the use of aversive and restrictive interventions.

The use of positive interventions is consistent with the educational goals of enhancing a student's academic, social and personal growth. While positive approaches alone may not always succeed in controlling extremely inappropriate behavior, the use of more restrictive procedures should always be considered to be temporary and approached with caution and restraint. The use of restrictive interventions should maintain respect, care, welfare, safety and security for the individual student's dignity and personal privacy and adhere to professionally accepted treatment practices. All of the procedural protection available to students with disabilities and their parents under the Individuals with Disabilities Education Act (IDEA), including notice and consent, opportunity for participation in meetings, and right to appeal, shall be observed when implementing and/or developing behavior interventions.

It is the District's intent that interventions used with a student with disabilities will incorporate procedures and methods consistent with generally accepted practice in the field of behavioral intervention. Interventions that are considered nonrestrictive are preferred, when appropriate, because of the low risk of negative side effects and the high priority placed on behavior change rather than behavior control. These interventions may be used without the development of a written behavioral management plan or inclusion in the student's Individual Education Program (IEP).

When a student is significantly, continuously disruptive to the environment, a written individualized behavior management plan will be developed. Restrictive interventions shall be used for the minimal amount of time necessary to control the student's behavior and shall be used in conjunction with positive interventions designed to strengthen appropriate behaviors. Prohibited interventions, such as corporal punishment and expulsion with the cessation of services, shall not be used. Interventions that are considered restrictive may be appropriate during emergency situations or when less restrictive interventions have been attempted and failed.

When confronted with an emergency situation in which immediate intervention is needed to protect students, other individuals or the physical site from harm, school personnel may use an intervention that has not been delineated in the student's behavior management plan so long as the intervention conforms with SEDOL policy and administrative procedures. The emergency intervention selected shall be the least intrusive to reasonably respond to the situation. When an emergency intervention has been used with a student, the parents or guardians of the student and the student's home district will be notified as soon as possible. Details related to the use of the emergency intervention will be documented on appropriate SEDOL forms: *Student Incident Report* Form #114; *Documentation of Emergency Intervention* Form #643; *Log of Student Behavior* Form #644; *Special Circumstances and Consideration of Alternative Strategies During Time Out/Physical Restraint* Form #645; and *Parent/Guardian Notification* Form #646.

Administrative procedures have been developed and are available on the District website at www.sedol.us (see 7:230-AP-SO).

Discipline of Special Education Students

The District shall comply with the Individuals With Disabilities Education Act and the Illinois State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability. Any special education student whose gross disobedience or misconduct is not a manifestation of his or her disability may be expelled pursuant to the expulsion procedures, except that such disabled student shall continue to receive educational services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his or her disabling condition, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another) and provided that such student receives educational services to the extent required by the IDEA during such removals.

Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois hearing officer changing the student's placement to an appropriate interim alternative educational setting for up to 45 days, if the District demonstrates that maintaining the student in his or her current placement is substantially likely to result in injury to the student or others.

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA. 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.

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.
Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
34 C.F.R. §§300.101, 300.530 - 300.536.
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill.Admin.Code §226.400.
Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:220 (Bus Conduct)

ADOPTED: October 21, 2004

REVIEWED: October 28, 2021

REVISED: February 22, 2007; May 21, 2009; October 27, 2011; November 20, 2013; February 25, 2016; May 26, 2016