

2461.02. - SPECIAL EDUCATION/RECEIVING SCHOOLS – SUSPENSION/EXPULSION

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The receiving school will collaborate with the sending district Board of Education to ensure that a free, appropriate public education is available for all pupils with disabilities between the ages of three and twenty-one enrolled in the receiving school including pupils with disabilities who are suspended from school.

A. Procedures For Collaboration For Pupils With Disabilities Including Pupils With Disabilities Who Are Suspended From School

1. The receiving school principal or designee is responsible for implementing suspensions in the receiving school.
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, the receiving school will notify the case manager in writing of the sending district.
3. The Building Principal or his/her designee will have a system in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons.
4. Suspension of a pupil with a disability from transportation will be counted as a day of removal if the pupil does not attend school.
5. Removal of a pupil with a disability for a portion of the school day will be counted proportionately.
6. If the receiving school has an in-school suspension program, participation in the in-school suspension program will not be counted as a day of removal if the program provides the following:
 - a. An opportunity for the pupil to progress in the general curriculum;
 - b. Services and modifications specified in the pupil's IEP;
 - c. Interaction with peers who are not disabled to the extent they would have interaction in the current placement; and

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- d. The pupil is counted as present for the time spent in the in-school suspension program.
7. When a series of short-term removals will accumulate to more than ten school days in the year:
- a. Personnel from the receiving school, officials of the sending district, and the sending district case manager will consult to determine whether the removals constitute a change in placement. (N.J.A.C. 6A:14-2.8(c)2) The determination of whether a series of removals constitute a change in placement is made by the public sending school district officials;
 - b. Written documentation of the consultation between officials of the sending district, personnel from the receiving school, and the case manager of the sending district will be maintained by both the sending and receiving districts;
 - c. If it is determined that there is no change in placement, school officials of the sending district, the case manager of the sending district, and case manager at the receiving school will consult to determine the extent to which services are necessary to:
 - (1) Enable the pupil to participate and progress appropriately in the general education curriculum; and
 - (2) Advance appropriately toward achieving the goals set out in the pupil's IEP.
 - d. Written documentation of the consultation and services provided will be maintained by the case manager.