

Priority Area 4: Discipline



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . together!

A child's hands and feet are visible at the top of the page, resting on a chalkboard. The child is wearing a purple long-sleeved shirt and grey sneakers. The chalkboard has colorful chalk drawings, including a pink heart and a blue shape. The background is a textured, greyish surface.

Priority Area 4: Discipline

A change of placement occurs if disciplinary removal is more than ten (10) consecutive school days; or more than 10 cumulative days of short-term removals that constitute a pattern. For disciplinary actions resulting in the removal of students with disabilities for more than 10 days in a school year (whether or not the days are consecutive), the school must provide special education services that allow the student to: continue to participate in the general education curriculum, although in another setting and progress toward meeting the goals outlined in the student's IEP.

If the disciplinary action results in a removal from school that is a change of placement, the IEP team must determine the exact educational services needed while the student is assigned to the interim alternative education setting, another setting, or suspension.

Within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, the school district, parents, and relevant members of the student's IEP team must meet to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability. Please note that 10 school days can be consecutive days or a pattern of removal that totals 10 days and therefore constitutes a change in placement.

The IEP team must also determine if the conduct was the direct result of the school's failure to implement the student's IEP, including behavioral interventions or implementation of a behavior intervention plan/behavior support plan. If the IEP team decides that the student's behavior was a direct result of the school's failure to implement the IEP, the school must take immediate steps to remedy the deficiencies and return the student to his/her original placement.

LEAs that do not meet state targets (SPP-APR Indicator 4) are required to assess discipline-related policies, practices, and procedures for students with disabilities. This discipline review provides the opportunity for LEAs to examine discipline procedures for students who have been removed for more than 10 days in a school year.

Discipline (DIS)

STUDENT INFORMATION

Has the student been removed from school for 10 or more days due to disciplinary reasons?
[Yes | No]

If the answer is yes, please complete the discipline protocol for this file. If the answer is no, discontinue this protocol for this student.

RECORD REVIEW ITEM: DIS-1 - 34 CFR §300.520

| Record Review Item | Potential Documentation |
|---|---|
| The parent was provided procedural safeguards in accordance with discipline procedures. | <ul style="list-style-type: none">• Manifestation determination• Documentation notifying the parent of change of placement and procedural safeguards• Meeting notice• Prior written notice |
| Evidence of Compliance | |
| <input type="checkbox"/> YES Mark YES if there is evidence the parent was provided procedural safeguards. | <input type="checkbox"/> NO Mark NO if there is evidence the parent was not provided procedural safeguards. |

RECORD REVIEW ITEM: DIS-2 - 34 CFR §300.503

| Record Review Item | Potential Documentation |
|---|--|
| The IEP team considered the student's Special Factors including if the child's behavior impedes their or others learning and the use of positive behavior interventions, supports and other strategies to address the behavior. | <ul style="list-style-type: none">• IEP – Special Factors• Meeting Notes• Prior Written Notice |
| Evidence of Compliance | |
| <input type="checkbox"/> YES Mark YES if there is evidence special factors and/or the use of positive behavior | <input type="checkbox"/> NO Mark NO if there is evidence special factors and/or the use of positive behavior |

| | |
|--|--|
| interventions supports and other strategies were considered. | interventions supports and other strategies were not considered. |
|--|--|

RECORD REVIEW ITEM: DIS-3 - 34 CFR §300.20

| Record Review Item | Potential Documentation |
|---|---|
| Within ten school days of a change in the student’s placement due to a violation of the student code of conduct, a Manifestation Determination was held. | <ul style="list-style-type: none"> • Student discipline records • Manifestation determination • Prior Written Notice • Meeting Notes • Meeting invitation |
| Evidence of Compliance | |
| <input type="checkbox"/> YES Mark YES if there is evidence a properly constituted IEP team convened for a Manifestation Determination within 10 school days of the student’s removal. | <input type="checkbox"/> NO Mark NO if there is evidence that a Manifestation Determination was not held, was not held within the timeline identified or did not include opportunity for the parent to participate. |

RECORD REVIEW ITEM: DIS-4 - 34 CFR §300.530(f)

| Record Review Item | Potential Documentation |
|--|--|
| If the IEP team determined that the behavior was a manifestation of the student’s disability, the team agreed to either: <ul style="list-style-type: none"> • Conduct a functional behavioral assessment, unless the school district conducted a functional behavioral assessment before the behavior occurred that prompted the disciplinary action, and implement a Behavior Intervention Plan/Behavior Support Plan; or • If a Behavior Intervention Plan/Behavior Support Plan already has been developed, review the behavioral intervention plan and modify it, as necessary, to address the behavior. | <ul style="list-style-type: none"> • Manifestation determination • Prior Written Notice • Meeting Notes • Functional Behavioral Assessment (FBA) • Behavior Intervention Plan/Behavior Support Plan (BIP/BSP) |

Evidence of Compliance

YES

Mark YES if there is evidence that the team identified and completed the agreed upon next steps for the student.

NO

Mark No if there is evidence the team did not conduct an FBA and/or did not review/revise the student's BIP/BSP.

NOT APPLICABLE

Mark N/A if there is evidence the team determined the behavior was not a manifestation.

Individual Student File Review Form

| Student Information | | | | |
|---------------------|--|---|---|----|
| Student Name: | | | | |
| Student SSID: | | | | |
| Student DOB: | | | | |
| Student Disability: | | | | |
| Grade: | | | | |
| IEP Start Date: | | | | |
| IEP End Date: | | | | |
| Discipline | | | | |
| DIS 1 | Procedural Safeguards provided to the parent | Y | N | |
| DIS 2 | Special Factors | Y | N | |
| DIS 3 | Manifestation Determination held | Y | N | |
| DIS 4 | If team determined conduct was a manifestation, team determined and completed the next steps | Y | N | NA |
| Comments | | | | |
| | | | | |

Discipline – Summary Sheet

| | |
|-------------|-----------------------|
| INFORMATION | |
| LEA Name: | Required Sample Size: |

Total number of student files reviewed is indicated below.

| Elementary School Students | Middle School Students | High School Students | Out of District Placements | Grand Record Total |
|----------------------------|------------------------|----------------------|----------------------------|--------------------|
| | | | | |

List SSIDs of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if no evidence was found. Enter “N?A” if the item is not applicable to the selected student. No item may be left blank.

| SSID | DIS 1 | DIS 2 | DIS 3 | DIS 4 |
|------|-------|-------|-------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Plan of Correction – Identify what will be done and when to correct any individual or systemic noncompliance for each item where the LEA found noncompliance during the self-assessment process.

| |
|--|
| |
|--|

Discipline Focus Group Questions

| Discipline | School/District Staff | Parents | Students | Community |
|--|-----------------------|---------|----------|-----------|
| • What story does our district’s discipline data tell? | X | X | X | X |
| • What are examples of discipline practices in your district that you would consider successful? | X | X | X | X |
| • What patterns exist within our student population (e.g., race, ethnicity, disability, gender, and grade), school sites and discipline? | X | X | X | X |
| • How does our district’s staffing and staff practices affect discipline decisions? | X | X | X | X |
| • What investments have we made or should we consider making to support our district’s implementation of discipline practices? | X | X | X | X |
| • How well are discipline practices communicated with families? | X | X | X | X |
| • What’s the relationship between IEP accommodations, inclusion, and discipline outcomes? | X | X | X | |
| • What are the systems changes, personnel growth and professional learning, and supports for students needed to implement better discipline practices? | X | X | X | X |