

Priority Area 4: Discipline



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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), starting on day 11 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.

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 conduct a Manifestation Determination to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability. 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. 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.

By using this protocol, the LEA will respond to a series of questions to explore whether it is meeting critical components related to discipline. If noncompliance is found in this area, it is recommended that the LEA correct these findings as soon as possible. In all cases, noncompliance must be corrected no more than one year from the ODE's written notification. Additionally, when noncompliance could cause a student to be denied 10 or more instructional days, the LEA must correct according to the shortened timeline outlined in OAR 581-015-2015.

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 § 300.530(h) & 300.504

Record Review Item	Potential Documentation
Procedural Safeguards Provided: 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• Notice of team Meeting• Prior Written Notice• Meeting notes
Evidence of Compliance	
<input type="checkbox"/> YES Mark YES if there is evidence the parent was provided procedural safeguards on the date on which a decision was made to make a removal that constitutes a change of placement of the student because of a violation of a code of student conduct.	<input type="checkbox"/> NO Mark NO if there is evidence the parent was not provided procedural safeguards on that date.

RECORD REVIEW ITEM: DIS-2 - 34 CFR § 300.324

Record Review Item	Potential Documentation
<p>Special Factors Considered:</p> <p>The IEP team considered the Special Factors of the student to determine if the student exhibits behavior that impedes the student's learning or that of others, and considered the use of positive behavior interventions, supports and other strategies to address the behavior that resulted in a removal from school that constituted a disciplinary change of placement.</p>	<ul style="list-style-type: none">• IEP – Special Factors• Meeting Notes• Prior Written Notice
Evidence of Compliance	
<p><input type="checkbox"/> YES</p> <p>Mark YES if there is evidence that the IEP team considered if the student exhibits behavior that impedes the student's learning or that of others and considered the use of positive behavior interventions, supports, and other strategies.</p>	<p><input type="checkbox"/> NO</p> <p>Mark NO if there is evidence that the IEP team did not consider if the student exhibits behavior that impedes the student's learning or that of others or did not consider the use of positive behavior interventions, supports, and other strategies.</p>

RECORD REVIEW ITEM: DIS-3 - 34 CFR § 300.530(e)

Record Review Item	Potential Documentation
<p>Manifestation Determination Conducted:</p> <p>Within 10 school days of a change in the student's placement due to a violation of a code of student conduct, the appropriate IEP team members reviewed all relevant information in the student's file and conducted a Manifestation Determination to determine whether:</p> <ul style="list-style-type: none"> the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or the conduct in question was the direct result of the LEA's failure to implement the IEP. 	<ul style="list-style-type: none"> Student discipline records Manifestation Determination Prior Written Notice Meeting notes Notice of Team Meeting
Evidence of Compliance	
<p><input type="checkbox"/> YES</p> <p>Mark YES if there is evidence that all the following are true:</p> <ul style="list-style-type: none"> a Manifestation Determination was conducted within 10 school days of a change in the student's placement due to a violation of a code of student conduct; the LEA, the parent, and relevant members of the child's IEP Team participated in the determination process; the team reviewed all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents in order to make a determination; a determination was made as to whether the conduct in question was 	<p><input type="checkbox"/> NO</p> <p>Mark NO if there is evidence that any of the following are true:</p> <ul style="list-style-type: none"> a Manifestation Determination was not conducted within 10 school days of a change in the student's placement due to a violation of a code of student conduct; the LEA, the parent, and relevant members of the child's IEP Team did not participate in the determination process; a determination was not made as to whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or was the direct result of the LEA's failure to implement the IEP;

<p>caused by, or had a direct and substantial relationship to, the student's disability; or was the direct result of the LEA's failure to implement the IEP; and</p> <ul style="list-style-type: none">• the determination that resulted from the review was in alignment with available evidence.	<ul style="list-style-type: none">• the determination that resulted from the review was not in alignment with available evidence.
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RECORD REVIEW ITEM: DIS-4 - 34 CFR § 300.530(f)

Record Review Item	Potential Documentation		
<p>Team Determined Next Steps:</p> <p>If the behavior was determined to be a manifestation of the student's disability, the team returned the student to the placement from which the student was removed, unless the parent and the LEA agreed to a change of placement as part of the modification of the behavior intervention plan, and agreed to either:</p> <ul style="list-style-type: none"> • conduct a functional behavioral assessment to develop a behavior intervention plan; or • review and modify as necessary an existing behavior intervention plan to address the behavior. 	<ul style="list-style-type: none"> • Manifestation Determination • Prior Written Notice • Meeting Notes • Functional Behavioral Assessment (FBA) • Behavior Intervention Plan (BIP) 		
Evidence of Compliance			
<p><input type="checkbox"/> YES</p> <p>Mark YES if there is evidence that all the following are true:</p> <ul style="list-style-type: none"> • the behavior was determined to be a manifestation of the student's disability; • the LEA conducted a functional behavioral assessment to develop a behavior intervention plan, or if a behavior intervention plan was already in place, it was reviewed and modified as necessary to address the behavior; and • the student was returned to the placement from which they were removed, or the parent and the LEA agreed to a more restrictive placement as part of a 	<p><input type="checkbox"/> NO</p> <p>Mark No if there is evidence that any of the following are true:</p> <ul style="list-style-type: none"> • the behavior was determined to be a manifestation of the student's disability, but the LEA did not conduct a functional behavioral assessment to develop a behavior intervention plan, nor was an existing behavior intervention plan reviewed and modified to address the behavior; and/or • the behavior was determined to be a manifestation of the student's disability, but the student was not 	<p><input type="checkbox"/> NOT APPLICABLE</p> <p>Mark N/A if there is evidence the team determined the behavior was not a manifestation of the student's disability.</p>	

modification of the student's behavior intervention plan.	returned to their original placement and there was no agreement for a change of placement.	
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Individual Student File Review Form

Student Information				
Student Name:				
Student SSID:				
Student DOB:				
Student Disability:				
Grade:				
IEP Start Date:				
IEP End Date:				
Lock-In Criteria				
<p>Has the student been removed from school for 10 or more days due to disciplinary reasons? [Yes No]</p> <ul style="list-style-type: none">• If the answer is YES, please complete the discipline protocol for this file.• If the answer is NO, discontinue this protocol for this student.				
Discipline				
DIS 1	Procedural Safeguards Provided	Y	N	
DIS 2	Special Factors Considered	Y	N	
DIS 3	Manifestation Determination Conducted	Y	N	
DIS 4	Team Determined Next Steps	Y	N	N/A
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 district review process.

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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