



NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Board of Education Policy 7-230

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STUDENTS

GROSS DISOBEDIENCE OR MISCONDUCT BY STUDENTS WITH DISABILITIES

Behavioral Interventions

Behavioral interventions may be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The District's parent/teacher/Community Advisory Committee will periodically review procedures on the use of behavioral interventions. The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. This policy and the behavioral intervention guidelines shall be furnished to the parent(s)/guardian(s) of all students with individual education plans at the time an individual education plan is first implemented for a student.

Discipline of Special Education Students

The District shall comply with the provisions of the Individuals With Disabilities Education Act (IDEA) when disciplining students. No special education student shall be expelled if the student's 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 District's expulsion procedures, except that disabled students shall continue to receive educational services as provided in the IDEA during their expulsions.

A special education student may be suspended for periods of no more than 10 consecutive school days for each act of misconduct. Special education students may be suspended in excess of ten (10) school days each year. However, beginning on the 11th day of suspension: 1) the student's IEP team must meet to draft a behavior intervention plan; 2) school personnel must decide whether the suspension constitutes 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 3) the student must receive educational services to the extent required by the IDEA.

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, who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function may be removed from his or her current placement. The student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA.

Legal References: **Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400, et seq.**
 Gun-Free Schools Act, 20 U.S.C. § 3351 et seq.
 34 C.F.R. §§ 300.121(d), 300.519, 300.521, 300.522, 300.523, 300.524, 300.528.
 105 ILCS 5/10-22.6 and 5/14-8.05.
 23 Ill. Admin. Code §§ 226.40, 226.400(a), 226.410, 226.520, and 226.655
 Honig v. Doe, 484 U.S. 305 (1988)

Adopted: 7/20/94
Revised: 7/18/05
Affirmed: 5/15/2006