



SPECIAL EDUCATION DISCIPLINE

STUDENT REMOVAL AND PRACTICES

DEFINING REMOVAL

Student removal refers to any situation in which the student is removed from their current placement at school for **any** period of time.

IN-SCHOOL SUSPENSION

In-school suspension is **not** considered a removal if:

- The school provides services so the student can progress in the general education curriculum and advance their IEP goals;
- The student participates with general education students to the same degree as in their current placement; and/or
- The short-term removal is included within the student's IEP as part of a behavioral intervention plan. This rule also applies to out-of-school suspension.

This resource was developed in alignment with 511 Indiana Administrative Code (IAC) 7-44-1.

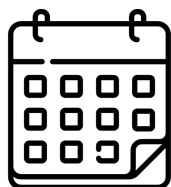
WHAT DOES REMOVAL LOOK LIKE?



Who: In most cases, school principals or administrators make this decision, not a Case Conference Committee (CCC) for students with an Individualized Education Program (IEP).



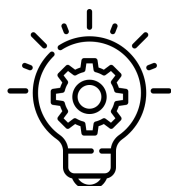
What: Removals are often referred to as suspensions or expulsions. If bus transportation is part of the student's IEP, a suspension from the bus would count as a removal, unless the public agency provides transportation in an alternative manner. **Removal for any part of the student's day counts as a day of removal.**



When: For the first 10 days of the removal in a school year, students with disabilities are not required to have access to services if services are not provided to a nondisabled student who has been similarly removed. For discipline beyond 10 days, the school **must** provide services.



Where: Administrators often assign the disciplinary action and must determine whether the series of removals results in a change of placement. These decisions are usually based on the amount of removals and specific causes. If behaviors show similarity, change of placement may be warranted.



Why: To ensure schools are best meeting students' needs and providing access to a free and appropriate public education (FAPE), if a student's behavior impedes their or another's learning, the CCC must consider and update the IEP for use of positive interventions, support, and strategies to address the behavior.

Discipline Flowchart for Students in Special Education

Individuals with Disabilities Education Act (IDEA) discipline protections apply to students who are eligible for special education services under Indiana Article 7 or for whom the school corporation has a basis of knowledge that the student has a disability.

