

# DELAWARE VALLEY SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS  
WITH DISABILITIES

ADOPTED: MARCH 17, 2011

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113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES	
<p>1. Purpose Title 22 Sec. 14.133</p>	<p>When necessary, behavior support programs shall be developed and maintained for students with disabilities in order to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors.</p> <p>Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others shall be disciplined in accordance with their Individualized Education Program (IEP), behavior support plan, and Board policy.</p>
<p>2. Authority 20 U.S.C. Sec. 1400 et seq 34 CFR 300.519-300.529 Title 22 Sec. 14.143</p>	<p>The Board directs that the district shall comply with provisions of the Individuals With Disabilities Education Improvement Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of district policy or school rules and regulations. No student with a disability shall be expelled if the student's particular misconduct is a manifestation of his/her disability.</p>
<p>3. Guidelines Title 22 Sec. 14.143</p> <p>Title 22 Sec. 14.143</p> <p>34 CFR 300.524 Pol. 218, 233</p>	<p>A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, regardless of whether the student's behavior is a manifestation of his/her disability.</p> <p>Any removal from school is a change of placement for a student identified with mental retardation.</p> <p>A student with a disability whose behavior is not a manifestation of his/her disability may be expelled pursuant to district policy and procedures.</p> <p>1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an SEA or an LEA;</p>

- 2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA; or
- 3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.

References:

Individuals With Disabilities Education Improvement Act – 20 U.S.C. Sec. 1400 et seq

Individuals With Disabilities Education Improvement Act Federal Regulations  
Part 300, Sec. 300.519-300.529

Title 18, U.S.C. Sec. 930

State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143