

## Green Woods Discipline Policy as it Relates to Special Education Students

GREEN WOODS CHARTER SCHOOL is committed to providing a learning environment that is conducive to the achievement of academic excellence and the development of age-appropriate social skills and relationships. As members of Green Woods Charter School, students are expected to accept responsibility for their own actions and to contribute to a climate that fosters respect for self, others, and the environment. This helps to set the foundation for meaningful learning and positive relationships.

Green Woods Charter School understands and acknowledges the need for a comprehensive and easily understood discipline policy, but we also realize the limitations and problems with a one-size-fits all system. As such, Green Woods Charter School reserves the right to examine each behavioral problem on an individual basis. This includes, but is not limited to, examining the context in which the infraction occurred along with the events that led up to and followed the infraction.

Only with the mutual support of parents and teachers can Green Woods Charter School effectively influence student behavior. As the adult members of this team, we must strive to:

- Model positive relationships among ourselves
- Discuss, communicate, and monitor behavioral expectations
- Provide acceptable limits for student's behavior
- Support students as they experiment with socially appropriate behavior
- Intervene and quietly and respectfully counsel students when necessary
- Remove disruptive students promptly
- Promptly recognize, share, and reward positive student behavior

It is expected that all of our students, including students with IEPs, will follow the rules to promote positive student conduct in school, in all classes, in all areas of the school, at school activities and during the time spent in travel to and from school and school events. To that end, the overall goal of Green Woods Discipline Policy is for students to:

- Respond to reasonable requests to maintain standards of socially acceptable behavior.
- Respect the rights of your classmates to learn in an environment free from distractions and interruptions.
- Respect the person and property of others.
- Preserve the degree of order necessary to the educational program in which they are engaged.
- Respond positively and promptly to adults charged with the responsibility of monitoring student behavior.

Ideal discipline is self-directed. However, when self discipline fails, disciplinary action must be imposed to protect the rights, safety, and learning opportunities for all students by ensuring that interrupted learning is immediately addressed and minimized.

At Green Woods, we believe that disciplinary action must be consistent and effective based on the vision and mission of our school. Policies for handling violations of our student Code of Conduct are the responsibility of the all staff with support from the SLT. All adults in our community are responsible for ensuring that all students meet the requirements outlined in our Parent/Student Handbook.

## **STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS (IEPs)**

Students with IEP's are required to follow all guidelines set forth in this policy and the Green Woods Parent/Student Handbook. The Discipline Policy, as well as the process, will be the same for students with IEP's except in the following circumstances:

1. Except as set forth below, a student with disabilities who receives special education services cannot be suspended for more than 10 consecutive days, 15 total days, in a school year, unless the parent agrees or a special education hearing officer (appointed by the state, not the school system) or judge approves the suspension.
2. In any case where Green Woods, as a disciplinary measure, proposes to change a special education student's placement (including suspension for more than 10 consecutive school days or more than 15 cumulative school days or transfer to an alternative educational program) within 10 days of any decision to change the placement, the relevant members of the IEP team and the parent must conduct a manifestation determination to determine (1) if the conduct in question was caused by or had a direct and substantial relationship to the child's disability or (2) if the conduct in question was the direct result of the local educational agency's failure to implement the IEP. A formal invitation should be sent to the Manifestation Determination stating the purpose and providing a notice of procedural safeguards.
  - If the answer to both of these questions is "no" then the student can be disciplined as a regular education student; however, any alternative educational program must implement the student's IEP and as appropriate, Green Woods must provide a functional behavioral assessment, behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur. The parent has a right to request an expedited special education due process hearing to challenge the manifestation determination and/or any change in placement. A NOREP should be issued indicating a finding of "no manifestation" and setting forth the alternative placement.
  - If the answer to either question is "yes" then the IEP team must (1) conduct a functional behavioral assessment and implement a behavior intervention plan or if a behavior plan exists, review the plan and modify it as necessary to address the behavior and (2) return the child to the placement from which the child was removed, unless (a) the parent and Green Woods agree a change in placement as part of the plan or (b) the "special circumstances" in number (3) exist.
  - If the conduct was deemed a manifestation of the student's disability and special circumstances do not exist, but Green Woods believes that maintaining the current placement is substantially likely to result in injury to the child or others, then Green Woods can request an expedited special education due process hearing.
3. A special education student can be transferred to an alternative educational placement for up to 45 school days, if any of the following "special circumstances" exist: (1) the student brings or possesses a gun or any other device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, at school, to or from school, or to any school function, (2) knowingly possesses, uses, buys, or sells a controlled substance other than a controlled substance

legally possessed or used under the supervision of a licensed health care professional in school, at school, on school premises, or at a school function or (3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. Any decision to transfer the child must be made by the child's IEP team.

The parent can ask for an expedited, special education due process hearing if he or she believes the transfer is inappropriate, but the transfer can be made in the meantime.

### **PROTECTIONS OF "THOUGHT TO BE ELIGIBLE" STUDENTS**

If disciplinary procedures are brought against a student who has not been identified as being eligible for special education and related services, Green Woods may suspend/expel the child for more than ten school days to the same extent that it would suspend/expel a nondisabled child for the same offense, provided, however, that:

- A. Green Woods did not have knowledge that the child was a child with a disability before the violation occurred;
- B. if an evaluation is requested after the violation occurs, Green Woods must conduct the evaluation in an "expedited manner."

Green Woods will be deemed to have knowledge of a disability and the student is entitled to the procedures applicable to students with IEPs if, prior to the violation,

- A. the parent expressed a concern, in writing, to supervisory or administrative personnel or a teacher of the child that the child requires special education and related services; or
- B. the teacher of a child has expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Coordinator of Special Education or other supervisory personnel; or
- C. the parent has requested an evaluation.

Green Woods will not be deemed to have knowledge of a disability if:

- A. the parent of the child has not allowed an evaluation despite Green Woods' request; or
- B. the parent of the child has refused services; or
- C. the child has been evaluated and it was determined that the child was not a child with a disability under the IDEA.