



## ADMINISTRATIVE POLICY

CODE: JGDA-AP

### TITLE: DISCIPLINE OF STUDENTS WITH DISABILITIES

When considering student disciplinary procedures that may result in removal of the student, the district follows all special education procedures and ensures the parent/guardian and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving individualized education program (IEP) services; or
2. The student has not yet been identified as a student with a disability, but the district had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

#### END OF ADMINISTRATIVE POLICY

REVIEWED: 4/8/25  
APPROVED: 1/14/97, 4/8/25

#### POLICY / REGULATION CROSS REFERENCE

#### LEGAL REFERENCE

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 336.187](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.252](#)

[ORS 343.177](#)  
  
[OAR 581-015-2400](#)  
[OAR 581-015-2405](#)  
[OAR 581-015-2410](#)  
[OAR 581-015-2415](#)

[OAR 581-015-2420](#)  
[OAR 581-015-2425](#)  
[OAR 581-015-2430](#)  
[OAR 581-015-2435](#)  
[OAR 581-015-2440](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415(k) (2012).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.507, § 300.508(a)-(c); §§ 300.510-300.514; §§ 300.530-300.536 (2017).