

Discipline, in Detail



The first time that specific discipline procedures were included in the Individuals with Disabilities Education Act (IDEA) was in the amendments made to the law in 1997. Those discipline procedures addressed how public agencies could respond to behavioral infractions of children with disabilities. They were also rather complicated.

You'll be pleased to hear that those procedures have been revised in the 2004 Amendments to IDEA and that disciplinary processes have been streamlined. They are still complicated, so we've split the discussion into separate sections of more digestible length. The links below will also help you more quickly find IDEA's requirements in specific disciplinary areas. The case study at the end looks at how IDEA's discipline procedures apply in a real-life situation.

[General Authority of School Personnel](#)

What authority do school personnel have to discipline a student with a disability who has violated a code of student conduct? Details here, including the school's general authority, case-by-case determinations, the 10-day rule, and what constitutes a "change of placement."

[School Authority in Special Circumstances](#)

"Special circumstances" involve weapons, drugs, or serious bodily injury. Find out what authority school personnel have to remove a student with a disability whose violation of the student code of conduct involves any of these three factors.

[Manifestation Determination](#)

One purpose of a manifestation determination is to determine whether or not the child's behavior is linked to his or her disability. Find out when this process is required and who is involved.

[Are Services Provided During Disciplinary Removals?](#)

What is the school system's obligation to provide special education and related services to a student with a disability during his or her disciplinary removal? IDEA addresses this critical question in its "extent of services" provisions.

[Appeals and Expedited Due Process](#)

Both the LEA and the parent of the child with a disability have the right to request a due process hearing to appeal decisions taken during disciplinary procedures, although the reasons these parties may do so differ.

[Child's Placement During the Appeal Process](#)

Where will the child be placed until a decision on an appeal is issued—the original placement from which the child was removed during the disciplinary action, the interim alternative educational setting, or another setting that the parents and school agree to? If you're wondering what happened to the "stay-put" provision, you'll find your answer here.

[What is Basis of Knowledge?](#)

How do IDEA's discipline procedures apply to children not previously determined to be eligible for special education and related services? It all depends on whether or not the school system had what's known as a "basis of knowledge."

[Reporting Crimes](#)

Are school systems allowed to report crimes committed by children with disabilities? Yes, with conditions.

[Putting It All Together: A Case Study](#)

See how IDEA's discipline procedures apply in real life by looking at the case of Charlie.