

SUSPENSION OF STUDENTS WITH DISABILITIES

1. According to State Regulation:

"Where a disciplinary action involving short-term suspension, a long-term suspension, or expulsion of a student with a disability is being considered (more than 10 cumulative days), a determination must be made as to whether or not there is a direct manifestation between the child's disability and the misconduct." This determination must be made by manifestation committee pursuant to the change of placement procedures. If a direct manifestation is found, the appropriateness of the current placement must be reassessed.

2. The manifestation committee should consist of:

- A. A representative of the LEA, other than the child's teacher, who is qualified to provide or supervise the provision of special education;
- B. The child's teacher;
- C. One or both of the child's parents;
- D. The child, if appropriate;
- E. Persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
- F. Other individuals, at the discretion of the parents or LEA.

3. The purpose of the manifestation committee is to determine if there is a "direct manifestation" between the student's disability and the misconduct." "If there is a manifestation or if the child was inappropriately placed at the time of the misconduct, the child may not be expelled nor may the school division impose a long-term suspension. If there is no manifestation at the time of the misconduct, the child may be disciplined the same as a non-disabled child."

4. Documentation of these findings will be submitted on the specific form, Minutes of the Manifestation Committee Decision. A copy of the minutes will be attached to the student's disciplinary record and a copy will be included in the student's official file.

ADOPTED: February 10, 1987
REVISED: July 1, 1991
July 1, 1992
July 1, 1994
March 14, 1995
July 10, 2001

LEGAL REFERENCE:

ATTACHMENT: FORM SS-92.50 - Minutes of the Causal Committee Decision

Gloucester County School Board