

## **Procedures for Disciplinary Referrals of Special Education (SPED) Students to Alternative Education School (AES) Sites**

The disciplinary referral SPED students to an AES site is done through an Individual Educational Plan (IEP) team meeting. The IEP team when considering the assignment of a SPED student to an AES should adhere to the following procedures and guidelines.

### **1. Pre Referral Activities**

- Prior to the tenth day of outdoor suspension, a Functional Assessment of Behavior must be completed. It is recommended that this process begin on the sixth day of suspension.
- The Behavioral Intervention Plan (BIP) must be implemented as soon as possible.
- The IEP team must meet to determine if the suspendable behavior is a manifestation of the student's disability as soon as possible after the tenth day of suspension and before any additional outdoor suspensions.

### **2. IEP Team Meeting to Determine Manifestation and Possible Assignment to an AES.**

- An IEP team should be convened with a Regional Center placement specialist and a representative from either Alternative Education Placement, of the proposed AES site. All other participants required by the Individuals with Disabilities Education Act 2004 (IDEA 2004) must also attend.
- Proper notification must be given to the parent and student of the IEP team meeting.

### **3. The IEP team should use the following guidelines in recommending the assignment of a SPED student to an AES site.**

- The IEP team should strongly consider the amount of time the BIP has been in place at the student's current school site before recommending the student for assignment to an AES site. A minimum of two weeks of the BIP implementation is a suggested time line to follow.
- When the movement of the student to the AES results in a change of placement or program delivery model, the IEP team must follow the appropriate procedures.

- Consideration must be given to the implementation of the existing BIP if the student is reassigned to an AES.
- The IEP team should review the need for additional psychological testing before considering the assignment of a student to an AES. A Regional Center school psychologist must be present at all manifestation determination meetings.
- The IEP team should insure that there are goals and benchmarks on the student's IEP that correspond with the student's existing BIP.
- The IEP team should review the need for any accommodations, modifications, related services, and support services that may be necessary to provide support to the student in the current placement or in the assignment of the student to an AES site.

**NOTE: If the behavior is found to be a manifestation of the student's disability, the parent must agree to a change of placement. If the parent does not agree, there can be no change of placement. If the parent does agree, it should be clearly noted on the IEP that the assignment to an AES is not for disciplinary reasons.**

#### **4. Required Follow-up Activities after the IEP Team Meeting:**

- Following the meeting, a copy of page one of the student's IEP must be forwarded to School Operations/Alternative Education by school mail (#9724) or by facsimile (305-995-2399) **by the sending school site.**
- A copy of the Manifestation Determination Form must be faxed to 305-995-2399.
- The sending school must follow all procedures found in the General Rules for Administrative, Voluntary, and Expulsion Referrals (found on the Procedures page of this web site).
- If the student's parent(s) disagree with the decision of the IEP team, the parents must be given a copy of an Informed Notice of Proposal or Refusal to Take Action form, and the Request for A Due Process Hearing Form.