

# **GUIDELINES FOR STUDENT DISCIPLINE**

**CHESAPEAKE PUBLIC SCHOOLS**

**OFFICE OF SPECIAL EDUCATION**

**OFFICE OF STUDENT SERVICES**

**2010-2011 Revision**

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## **DISCIPLINE OF THE DISABLED AND THE 2004 IDEA FEDERAL REGULATIONS**

Congress re-authorized the Individuals with Disabilities Education Act (IDEA '04) and it is now known as the Individuals with Disabilities Education Improvement Act. Several changes were made in the federal policies concerning the discipline of students with disabilities. This manual delineates those changes and contains the procedures administrators within the Chesapeake School division will need to use to comply with the 1997 IDEA Reauthorization, 1999 IDEA regulations, and the Individuals with Disabilities Education Improvement Act of 2004.

This manual addresses discipline procedures for both general education students and students with disabilities. "Students with disabilities" includes students in the Child Study Committee process (suspected), students with IEPs, and students with 504 plans. **Throughout this manual procedures that apply to students before Child Study Committee or who have an IEP will be addressed as "students with disabilities (IEP)". Procedures that apply to students with 504 plans will be identified as "students with disabilities (504)."**

In 2009, the *Virginia Special Education Regulations* stated that "In the event that a child's behavior impedes the child's learning or that of others, the IEP team shall consider the use of positive behavioral interventions, strategies, and supports to address the behavior. The IEP team shall consider either:

- a. developing goals and services specific to the child's behavioral needs; or
- b. conducting a functional behavioral assessment and determining the need for a behavioral intervention plan to address the child's behavioral needs."

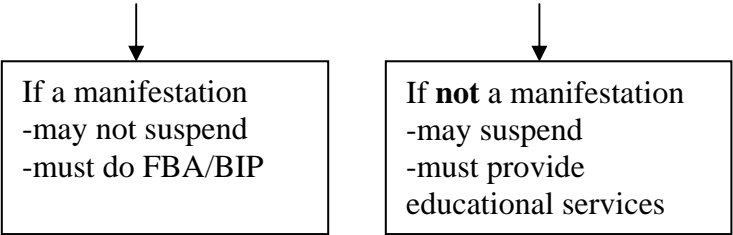
If you have any questions, please contact the Office of Student Discipline (547-1318) or the special education administrator assigned to your building (494-7600).

### **Discipline of Students with IEPs**

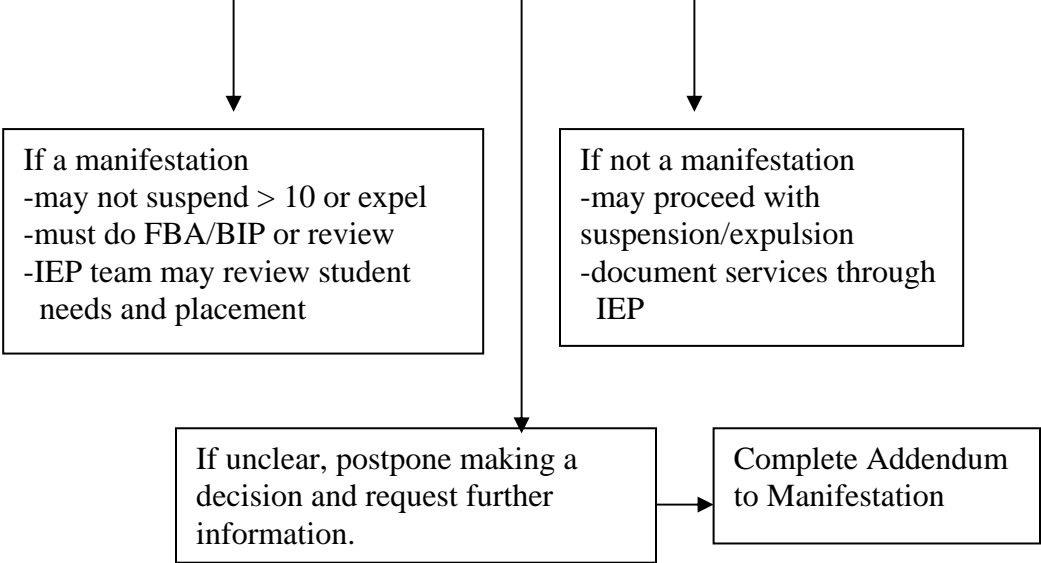
**Short Term Suspensions  
Up to 10 days**  
General education students and students with disabilities may be suspended up to and including 10 days without additional due process.

**Additional Due Process for Students with Disabilities (IEP)**

**Short Term Suspensions  
Beyond 10 days**  
For suspensions, beyond 10 days, students with IEPs must have Manifestation Determination Hearings and receive FAPE.



**Recommendation for Expulsion**  
-suspend for 10 days with recommendation  
-hold Manifestation Determination Hearing

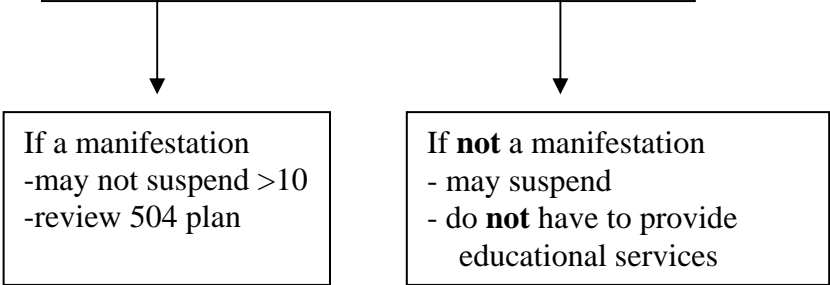


**Discipline of Students with 504 Plans**

**Short Term Suspensions  
Up to 10 days**  
General education students and students with 504 plans may be suspended up to 10 days without additional due process.

**Additional Due Process for Students with Disabilities (504)**

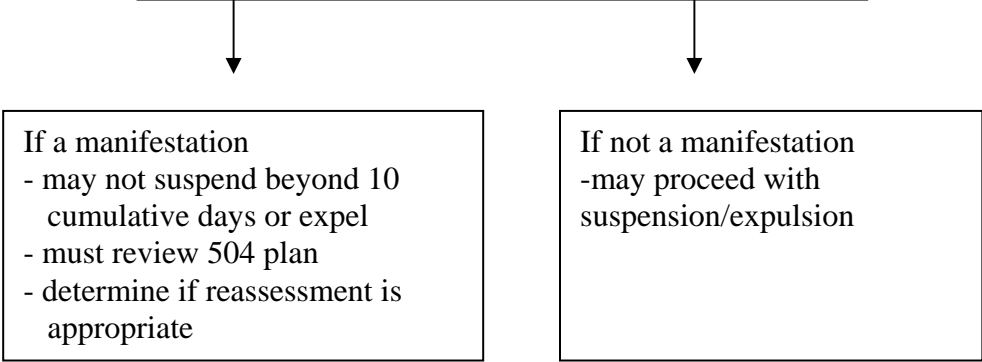
**Short Term Suspensions  
Beyond 10 days**  
For all suspensions, beyond 10 days, students with 504 plans must have Manifestation Determination Hearings, unless disciplinary action is for drug or alcohol violations



**If a manifestation**  
-may not suspend >10  
-review 504 plan

**If not a manifestation**  
- may suspend  
- do **not** have to provide educational services

**Recommendation for Expulsion**  
-hold Manifestation Determination Hearing unless disciplinary action is for drug or alcohol violations



**If a manifestation**  
- may not suspend beyond 10 cumulative days or expel  
- must review 504 plan  
- determine if reassessment is appropriate

**If not a manifestation**  
-may proceed with suspension/expulsion

**SHORT TERM SUSPENSIONS**

## **(UP TO TEN DAYS)**

Federal Regulations and School Board policy provide for students to be removed from their current placements for up to 10 school days through the use of short-term suspensions. For students with disabilities (IEP or 504), additional due process procedures are required prior to all suspensions beyond 10 days. During the initial 10 days of suspensions a student with or without a disability may not be treated differently regarding the severity of the punishment; and educational services do not have to be provided.

Students with disabilities (IEP or 504) who receive suspensions that do not place them over the cumulative 10-day limit have their “Final Dispositions” in STAR\_STUDENT recorded in the same manner as non-disabled students.

## **IN-SCHOOL SUSPENSION**

When IEP services are **not** provided to students with disabilities (IEP or 504), In-School Suspension (ISS) days accumulate the same as OSS days and count toward the “10 day limit.”

## **IN-SCHOOL ALTERNATIVES**

When students with disabilities (IEP) are given the opportunity to progress in the general curriculum, continue to receive services specified in their IEPs, and continue to participate with non-disabled peers but in a different setting, they are in an In-School Alternative. An In-School Alternative Placement is not considered to be removal from special education services and the days are not added to the “10 day count.” In-School Alternatives cannot be used so often that they form a pattern and become the student’s educational placement.

To document the provision of special education services through an In-School Alternative, the special education teacher must complete the “Provision of Alternative Services” form, (p. 6). The form should be filed in the student’s scholastic record folder under the Discipline section. When special education services are provided, check the “Services Provided” box in STAR\_STUDENT. The “Notes” section can be used to specifically explain the disposition.

## **BUS SUSPENSIONS**

If a student with a disability (IEP) cannot access educational services because of a bus suspension, the bus suspension counts as OSS. The Notes section of STAR\_STUDENT can be used to report whether or not the student was able to attend school on days he or she received bus suspensions. Chronic inappropriate behaviors displayed on the bus should be addressed through Behavior Intervention Plans.

**PROVISION OF ALTERNATIVE SERVICES**

*The administrator assigning Alternative Services will notify the student's case manager and give him/her this form. The case manager will describe the services provided and attach this form to the notice of disciplinary action. The forms will then be filed in the Discipline section of the student's scholastic record. Services will be noted on STAR\_STUDENT as C-13-In-School Alternative. (Services to be provided will be the determined by the student's IEP.)*

Student's Name \_\_\_\_\_ ID # \_\_\_\_\_ Case Manager \_\_\_\_\_

In-School Alternative will begin at \_\_\_\_\_ (time) on \_\_\_\_\_ (date).

Circle and describe the services provided

Direct Services:

Support Services:

Consultative Services:

Teacher's Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

## **SHORT-TERM SUSPENSIONS (BEYOND 10 DAYS)**

General education students may receive a series of short term suspensions that exceed 10 cumulative days per school year, but building administrators may not give a single suspension that is longer than 10 days.

Students with disabilities (IEP or 504) under specific circumstances may receive a series of suspensions that exceed 10 cumulative days, but only after additional due process procedures have been completed. **Prior** to suspending a student with a disability (IEP or 504) more than 10 cumulative days, a Manifestation Determination Hearing must be held. In this hearing, for students with IEPs or 504 plans, the IEP or 504 team must determine whether or not the misconduct resulting in the recommendation for the suspension had a direct and substantial relationship to the student's disability or whether the conduct in question was a direct result of the school district's failure to implement the IEP or 504 plan.

Unlike students with an IEP, students with 504 plans who use and possess illegal drugs or alcohol may be punished to the same extent as students without disabilities, and a Manifestation Determination Hearing is not required prior to disciplinary action for these specific offenses.

Therefore, for students with disabilities (IEP or 504) the administrator must convene a Manifestation Determination Hearing to determine if they can suspend the student prior to removal beyond 10 cumulative days, or as soon after as possible.

### **If it is a manifestation:**

- suspension may not occur, and
- the IEP team must conduct, review, and/or modify a Functional Behavior Assessment/Behavior Intervention Plan to address the behavior of concern, or
- the 504 team must review the 504 plan and determine whether the student's educational program should be modified.

### **If it is not a manifestation:**

- the student may be suspended in the same manner as non-disabled students, and
- for students with IEPs, educational services must be provided during the suspension in order for the student to continue to progress in the general curriculum and toward achieving the IEP goals.\* For students with 504 plans, services are not required during the suspension.

\* For students with IEPs, the types of educational services provided during a suspension are decided by the IEP team and must be documented on an IEP modification page and/or a *Written Notice of Proposed/Refused Action*. It is possible for the IEP team to agree upon homebound services or some other provision of services in lieu of direct homebound services. Best practices would indicate

one not go over 4 days of OSS without providing direct homebound instruction. For example, if a behavior is not a manifestation and the student is given an 11<sup>th</sup> day of OSS, the parent may refuse the offered homebound services for one day, and instead, the student could be given assignments, extra time to complete work, etc. This would be documented on the *Written Notice of Proposed/Refused Action*. But in a similar situation, if the student were given five days OSS, one would offer and encourage the parent to accept direct homebound services.

A Functional Behavior Assessment/Behavior Intervention Plan does **not** have to be written or modified if the behavior is **not** a manifestation.

It is legal for an Assistant Principal and the student's special education teacher to determine if, and only if, the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> cumulative days of suspension fail to form a pattern requiring a Manifestation Determination Hearing. In order to do this, the Assistant Principal and the teacher must review the student's previous suspensions to determine if the length, proximity, and total number of suspensions form a pattern. If they do form a pattern, a Manifestation Determination Hearing must be convened.

If they do not form a pattern, a Manifestation Determination Hearing does not have to be scheduled and the suspension can occur. Services will have to be provided and a *Written Notice of Proposed/Refused Action* must be completed documenting that "the previous days of suspension were reviewed and not found to form a pattern and the suspension on (date) does not constitute a change in placement." The type of educational services that will be provided also needs to be documented.

**PART I**  
**PROCEDURE FOR POSSIBLE EXPULSION RECOMMENDATION**  
**SCHOOL BOARD POLICY 9-21 AND REGULATION 9-21**

These are only guidelines. Please review School Board Policy 9-21 and School Board Regulation 9-21

**STUDENT'S NAME** \_\_\_\_\_  
**SCHOOL** \_\_\_\_\_ **DATE OF INCIDENT** \_\_\_\_\_

Please check off each item as completed and submit with packet.

- \_\_\_ 1. **DETERMINE IF THE STUDENT IS ENROLLED IN A REGULAR OR SPECIAL EDUCATION PROGRAM (SPECIAL EDUCATION REQUIRES ADDITIONAL DUE PROCESS)**
  - \_\_\_ 2. Investigation:
    - a. **Signed written statements** from the victim, witnesses, students, faculty members, and alleged perpetrators; (these statements are very important; names of witnesses are not normally shared with accused students and/or their parents)
    - b. **Signed written statements** from investigators (i.e., principal, assistant principal, youth services officer, security monitor, faculty member, etc.)
    - c. **Photographs of evidence** should be taken with a digital camera and e-mailed to the Office of Pupil Discipline as a jpeg file
    - d. **Written statement** describing how school administrators became aware of the discipline infraction and a detailed description of the events that followed.
  - \_\_\_ 3. Student Conference:  
Due Process must include:
    - 1. "oral or written notice of the charges"
    - 2. "an explanation of the evidence if the student denies the charges"
    - 2. ". . .hearing where the student has an opportunity to present his/her side of the story" (Rossow, L.F., 1989, The Law of Student Expulsions and Suspensions, p. 34)
  - \_\_\_ 4. Suspend student for ten (10) days and advise student that expulsion is being considered. Contact the parent/guardian by telephone (home, work, or emergency) as soon as possible. Document any attempts made if parent cannot be reached by telephone.  
**NOTE: For students with disabilities, IMMEDIATELY contact the school's behavioral consultant and schedule a Manifestation Determination. (Please see your copy of Administrator's Guidelines for the Discipline of Students with Disabilities for further guidance.)**
    - (a) If there is a manifestation, the student's placement cannot be changed, except via the IEP Team process.
    - (b) **If there is no manifestation, the student can be disciplined as nondisabled, but must continue to receive services.**
    - (c) **If there is insufficient information available to determine if a manifestation exists, request further evaluation(s) using the CSC or the IEP Reevaluation process and continue with the procedure for a recommendation for expulsion.**
- For students with disabilities, the IEP team must determine appropriate services during the expulsion process (often, these services are provided through non-medical homebound placement).
- \_\_\_ 5. Call in Incident Report to the deputy superintendent or another member of the superintendent's staff.

- \_\_\_ 6. Mail suspension letter to parent/guardian (**include:** a statement indicating that expulsion is being considered, notice of the school hearing, a statement indicating “There are no community-based educational, alternative education, or intervention programs available to your son/daughter during the suspension,” and a copy of Expulsion Policy 9-21 and Regulation 9-21). If the recommendation stems from a violation of the Drug and Alcohol policy, also include a copy of Policy 9-22 and Regulation 9-22. **Preprinted suspension forms do not contain notice of the school hearing.**
- NOTE: For a student with disabilities, also include Parental Rights in Special Education (CS-1,401)**
- \_\_\_ 7. If a student is suspended for 10 days, a copy of the suspension letter should **immediately** be faxed to the Office of Pupil Discipline (fax number: 547-1342). This letter helps the Office of Pupil Discipline ensure that all timelines are met.
- \_\_\_ 8. **School hearing** with parent and student **must be held within two school days following the student's effective suspension date.** (For example: If a student is suspended **effective** Tuesday, the school hearing must be held no later than Thursday. If a student is suspended effective Friday, the school hearing must be held no later than Tuesday. If a student is suspended on Friday and Monday is a holiday for students, then the school hearing must be held no later than Wednesday.) (Note: This hearing **must** be held within two school days following suspension **even if parent and student are no-shows**; document that the student and parent have been properly notified prior to conducting a no-show hearing. If a principal is not available to hold the school hearing within the timeline, the hearing must be held by an assistant principal.) For a student with disabilities, provide parent a copy of *Parental Rights in Special Education*.
- \_\_\_ 9. **Contact parent/guardian by telephone** to notify them of the principal’s decision, **followed by written notice** of this decision. The written notice must state that the proposed expulsion, as well as the suspension may be appealed at the Administrative Review. The written notice must also include a copy of School Board Expulsion Policy 9 - 21 and Regulation 9 - 21. (This must be done within two days after the school hearing—if the school hearing is on Tuesday, notification must be made by Thursday, etc.)
- \_\_\_ 10. **Immediately fax** (547-1342) the letter containing the principal’s decision following the school hearing to the Office of Pupil Discipline (547-1342).
- \_\_\_ 11. If student has been referred for truancy, suspend truancy proceedings until completion of recommendation for expulsion.
- \_\_\_ 12. **As required by law**, disciplinary infractions are part of the student’s scholastic record. As a minimum, copies of the following items should be placed in the student’s permanent record.
- \_\_\_ a. Original letter of 10 day suspension and possible expulsion
  - \_\_\_ b. Letter following school hearing
  - \_\_\_ c. Letter following administrative review
  - \_\_\_ d. Letter from Clerk of Board stating date and time of School Board meeting
  - \_\_\_ e. Letter from Clerk of Board stating Board’s decision

## Part 2

### Submit Part 2 to the Office of Pupil Discipline

**All items must be on 8 1/2 'X11' paper- if you take notes on note pads, copy them on 8 1/2'X 11' paper prior to submitting the packet to the Office of Pupil Discipline. DO NOT SUBMIT A WITHDRAWAL FROM IF THE STUDENT HAS NOT WITHDRAWN FROM SCHOOL.**

Please initial each item and submit items in the order listed.

**IF** expulsion is recommended, the principal shall deliver to the Office of Pupil Discipline **within two school days after the hearing** a packet including the following. (If the hearing is on Monday, the packet should be delivered to the Office of Pupil Discipline no later than Wednesday. If the hearing is held on Friday, the packet is due to the Office of Pupil Discipline by Tuesday.)

- \_\_\_\_\_ Part 2 of the Expulsion Packet including the Student's School Summary Report Recommendation for Expulsion
- \_\_\_\_\_ Minutes from School Hearing (please follow the outline included in Part 3)
- \_\_\_\_\_ Suspension letter with request for school hearing attendance
- \_\_\_\_\_ Most recent report card and **transcript (after grade 8)**
- \_\_\_\_\_ Attendance records
- \_\_\_\_\_ Record of ALL school discipline offenses
  - a. STAR\_STUDENT printout of current year
  - b. Legible printout of all other discipline offenses
- \_\_\_\_\_ Student health records
- \_\_\_\_\_ Letter notifying parent/guardian of school's action in recommending expulsion
- \_\_\_\_\_ **\*For students with disabilities, include a copy of the minutes kept during the Manifestation Determination**
- \_\_\_\_\_ Relevant special education records (eligibility minutes, IEP, BIP, FBA)
- \_\_\_\_\_ Documentation the parents were provided ***Parental Rights in Special Education***
- \_\_\_\_\_ Photos of Evidence (e-mail digital photographs to the Office of Pupil Discipline)
- \_\_\_\_\_ Signed and dated written statements from administrators, youth services officer, and/or Security monitor involved in case
- \_\_\_\_\_ **Statement describing how school administrators became aware of the discipline infraction and a detailed description of the school's investigation**

**STUDENT'S SCHOOL SUMMARY REPORT**

**RECOMMENDATION FOR EXPULSION**

*Include this signed document with the school packet to be delivered to the Office of Pupil Discipline **within** three (3) school days of the hearing. Whenever possible, please deliver the packet sooner than the 3-day deadline.*

**IDENTIFYING INFORMATION**

NAME:                    DOB:                    SEX:                    AGE:

STUDENT NUMBER;                    **CURRENT GRADE LEVEL:**

ADDRESS:                    **TOTAL CREDITS EARNED:**  
HOME PHONE:

**STUDENT'S LEGAL GUARDIAN  
AND THE LEGAL GUARDIAN'S ADDRESS:    LEGAL GUARDIAN'S TELEPHONE NUMBER**  
home  
work  
cell

**STUDENT LIVES WITH (If different from legal guardian):**

(Name and relationship to student)                    Telephone Number:  
home  
work  
cell

**PRESENTING PROBLEM**

- A. Date of **Incident:**
- B. Reason student is being recommended for expulsion:
- C. Summary of any contact or involvement with the youth services officer or any law enforcement agency regarding this incident (*School Board Policy and state law require that the police be notified of any incident involving a potential law violation.*):
- D. **List of criminal charges, if any, that have been filed as a result of this incident (If no charges have been filed, indicate "none" and explain why charges were not filed):**

## SCHOOL HEARING

A. Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

People Present (*include relationship to student or school position*)

Principal's Recommendation AFTER School Hearing:

## ACADEMIC PROGRAM

A. REGULAR EDUCATION PROGRAM      Yes      No

If regular education, indicate if:

1. **CSC** is reviewing for services:      Yes      No
2. **Sp. Ed.** is testing for services:      Yes      No

3. **Tentative eligibility date:**

*If the answer to number 1 or 2 is yes, a manifestation determination must be held and a decision of the IEP team tabled pending the outcome of eligibility. Contact your Behavioral Consultant for assistance, and continue the procedure for a recommendation for expulsion.*

B. SPECIAL EDUCATION PROGRAM      Yes      No

**If yes, category**

*Contact your Behavioral Consultant to arrange for a manifestation determination.*

1. Date of Manifestation Determination:
2. Findings of Manifestation Determination:  
*(Attach a copy of Manifestation Determination minutes. If there is insufficient information available to make a determination at this time, **pend** the manifestation determination, **request** further evaluation using the Child Study process, and **continue with the procedures for a recommendation for expulsion.**)*

C. SECTION 504 CATEGORY:      Yes      No

*Contact your Behavioral Consultant to arrange for a manifestation determination.*

**Attach a copy of the 504 Plan**

*Refer to the Administrator's Guidelines for the Discipline of Students with Disabilities, or "Discipline for Students with a 504", to determine whether or not a manifestation determination is necessary. Include a copy of the manifestation minutes.*

**ATTENDANCE**

Has this student been referred for truancy?    Yes                    No

If the answer to the above question is **yes**, please **STOP truancy proceedings** until a final decision has been made regarding this recommendation for expulsion.

**PRINCIPAL’S FINAL SUMMARY OF INCIDENT—(This summary is the most critical component of the expulsion packet. It will be used when the School Board meets to consider the expulsion, and should include a detailed summary of relevant witness statements, along with a description and/or pictures of any physical evidence obtained during the investigation. Please include a rationale explaining your specific reasons for recommending expulsion.)**

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SIGNATURE OF PRINCIPAL

---

DATE

(Use Legible Attachments as Necessary)

## Part 3

### SCHOOL HEARING OUTLINE (for individual conducting hearing)

*Make and keep (please do not send with the packet) a tape recording of the hearing, and in addition, ask someone to record information so that minutes from the hearing can be **written in the format provided** and included in the school packet. The minutes should include the major points of the student and parents' statements during the hearing. A playback of the tape recording will be invaluable to assist in the accuracy of writing the hearing minutes.*

#### 1. **Announce purpose of hearing**

(Sample dialogue) “This school hearing will assist me in determining what action the school will take regarding a possible recommendation for expulsion as a result of the incident involving your child. I will review the charges, and witnesses’ accounts. An opportunity will be given for your child to provide an explanation of his or her actions and behavior involving the incident; and as parents, you will have an opportunity to make any remarks or provide additional information you feel is pertinent to our investigation or that may influence my (principal’s) decision.”

“The hearing will be recorded as documentation and used to clarify a vital point in the event of a discrepancy or a need to review statements.”

#### 2. **Record the names of those people present; include their relationship to the student or their school position**

#### 3. **Present reasons student is being recommended for expulsion**

#### 4. **Present a summary of the evidence** (It is important that all evidence of which you are aware be presented at this time. When making your final decision on the recommendation for expulsion, please consider only evidence that the student/parent has had an opportunity to comment upon.)

#### 5. **Take the student’s statement** (This is the student’s opportunity to explain his side of the story and have it included in the official record.)

#### 6. **Provide an opportunity for the parents to speak or ask questions**

#### 7. **Explain procedures**

(Sample dialogue) “I will study all statements and information from the school’s investigation as well as the information provided today. Within 3 days, I will make a decision and notify you, the parents, of my decision. This telephone call will be followed up with a letter. I will also contact the Office of Pupil Discipline and provide documentation to support my decision.”

“If my decision is to recommend expulsion, I will notify you to contact the Office of Pupil Discipline, at 547-1318 to set up an appointment for the Administrative Review. You will be invited to attend this meeting, and you will be given an opportunity to appeal my decision at this level if you wish. The purpose of this Administrative Review is to look over the documentation to make certain everything is in order, to insure that rights have not been violated, and to determine whether or not my recommendation should be forwarded to the superintendent.”

## MINUTES FROM SCHOOL HEARING

*(Use the following format to record minutes of the hearing and include in the school packet to be sent to the Office of Pupil Discipline. Use official school stationery.)*

A hearing was held by the principal for \_\_\_\_\_ name of student \_\_\_\_\_ on \_\_\_\_\_ date \_\_\_\_\_  
at \_\_\_\_\_ time \_\_\_\_\_ at \_\_\_\_\_ name of school \_\_\_\_\_. Those present were:  
\_\_\_\_\_.

The principal began by explaining the purpose of this meeting and that it was being recorded. The principal then reviewed the charges and reasons for the investigation and possible recommendation of expulsion.

*Provide a summary of witnesses' statements.*

The principal then asked \_\_\_\_\_ name of student \_\_\_\_\_ to explain his/her part in the incident. A summary of the information provided by the student follows:

- 1.
- 2.
- 3.

The parent/guardian, Mr./Mrs. \_\_\_\_\_ added:

Additional questions were asked by \_\_\_\_\_ to \_\_\_\_\_ which were:

1. (Question)  
(Answer)
2. (etc.)

The principal explained that he/she will review all information gathered from this investigation, including all that has been said today. He/she informed the parents that he/she would contact them within three days to inform them of the decision. In the event of a recommendation for expulsion, the parents were advised to call the Office of Pupil Discipline, at 547-1318 to set up a time for the Administrative Review hearing. The parents were informed they would be invited to attend, and that if they wished to appeal the principal's decision they would be given an opportunity to do so at this meeting. The hearing ended.

Signed \_\_\_\_\_  
Recorder

Signed \_\_\_\_\_  
Principal

*(Suspension Letter with Request for School Hearing Attendance  
for Students Enrolled in a Regular Education Program)*

date

*inside address*

Re: *student's name*, DOB  
*grade*

Dear Mr. and Mrs. *parent's name*:

I regret to inform you that your child, *name of student*, has been suspended from school for ten (10) days, effective *day, date*, for *identification of violation* on school property. Because of the seriousness of this matter, I am requesting that you and *name of student* meet in my office for a hearing on this matter, *day, date*, at *time*.

The purpose of this hearing is to review all charges concerning this incident and to allow your child an opportunity to be heard and to explain his/her involvement. Also, at this time, you will be given an opportunity to provide additional information or comments. This hearing may result in a recommendation for expulsion from school for *name of student*.

No community-based educational, alternative education, or intervention programs are available to your child during the suspension.

Sincerely,

Principal

Enclosures: Chesapeake School Board Policy 9-21  
Chesapeake School Board Regulation 9-21

<p><b><i>Enclose P 9-22 and R 9-22 (drug/alcohol) or P 8-36 and R 8-36 (sexual harassment), if appropriate.</i></b> Information contained in this box serves as a reminder for administrators; please delete it and update enclosure list prior to printing letter.</p>
---

c: Office of Pupil Discipline

[Suspension Letter with Request for Manifestation Determination and School Hearing Attendance for Students Enrolled in a Special Education Program (Be sure to enclose an IEP invitation letter.)]

date

*inside address*

Re: *student's name*, DOB  
*grade*

Dear Mr. and Mrs. *parent's name*:

I regret to inform you that your child, *name of student*, has been suspended from school for ten (10) days, effective day, date, for identification of violation on school property. Because of the seriousness of this matter, I am requesting that you and *name of student* meet in my office for a manifestation determination and to develop and/or review your child's behavior intervention plan on day, date, at time. Teachers, administrators, and a representative from the department of special education will be in attendance.

A school hearing will follow the manifestation determination if necessary. The purpose of this hearing is to review all charges concerning this incident and to allow your child an opportunity to be heard and to explain his/her involvement. At this time, you will be given an opportunity to provide additional information or comments. This hearing may result in a recommendation for expulsion from school for *name of student*.

No community-based educational, alternative education, or intervention programs are available to your child during the suspension.

Sincerely,

Principal

Enclosures: Chesapeake School Board Policy 9-21  
Chesapeake School Board Regulation 9-21  
Parental Rights in Special Education  
IEP Invitation Letter

C: Office of Pupil Discipline  
Your School's Behavioral Consultant

**Enclose P 9-22 and R 9-22 (drug/alcohol) or P 8-36 and R 8-36 (sexual harassment), if appropriate.**  
Information contained in this box serves as a reminder to administrators; please delete it and update enclosure list prior to printing letter.

*IEP INVITATION LETTER FROM IEP ONLINE*

*IEP INVITATION LETTER FROM IEP ONLINE*

*Suspension Letter with Request for Manifestation Determination and School Hearing Attendance for  
Students with a Disability (504)*

date

inside address

Re: student's name, DOB  
grade

Dear Mr. and Mrs. parent's name:

I regret to inform you that your child, name of student, has been suspended from school for ten (10) days, effective day, date, for identification of violation on school property. Because of the seriousness of this matter, I am requesting that you and name of student meet in my office for a manifestation determination and to review your child's 504 plan on day, date, at time. Teachers, administrators, and a representative from the department of special education may be in attendance.

A school hearing will follow the manifestation determination if necessary. The purpose of this hearing is to review all charges concerning this incident and to allow your child an opportunity to be heard and to explain his/her involvement. At this time, you will be given an opportunity to provide additional information or comments. This hearing may result in a recommendation for expulsion from school for name of student.

No community-based educational, alternative education, or intervention programs are available to your child during the suspension.

Sincerely,

Principal

Enclosures: Chesapeake School Board Policy 9-21  
Chesapeake School Board Regulation 9-21  
504 Procedural Safeguards

C: Office of Pupil Discipline  
*Your School's Behavioral Consultant*

**Enclose P 8-36 and R 8-36 (sexual harassment), if appropriate. If a drug/alcohol offense, enclose P 9-22 and R 9-22 and use the letter for regular education students.** Information contained in this box serves as a reminder to administrators; please delete it and update enclosure list prior to printing letter.

*(Sample Letter to notify parent of school's action in recommending expulsion)*  
(Please notify parent/guardian by **BOTH** Certified and Regular mail.)

\_\_\_\_\_ *date*

*inside address*

Re: *student's name, DOB*  
*grade*

Dear Mr. and Mrs. parent's name \_\_\_\_\_ :

I regret to inform you that as a result of our hearing held on \_\_\_\_\_ *date* \_\_\_\_\_ concerning charges that the above student was \_\_\_\_\_ *identification of violation* \_\_\_\_\_ ,  
I am recommending to the superintendent that \_\_\_\_\_ *name of student* \_\_\_\_\_ be expelled from Chesapeake Public Schools.

You should contact the Office of Pupil Discipline at 547-1318 to set a time for a review committee to meet concerning my recommendation. You and \_\_\_\_\_ *name of student* \_\_\_\_\_ are requested to attend and you will have the opportunity to appeal my decision at this level.

Sincerely,

Principal

Enclosures: Chesapeake School Board Policy 9-21  
Chesapeake School Board Regulation 9-21

C: Office of Pupil Discipline

**If the student is enrolled in a special education program, attachments should include *Parental Rights in Special Education*, and the letter should be copied to your school's behavioral consultant as well as the Office of Pupil Discipline. Enclose P 9-22 and R 9-22 (drug/alcohol) or P 8-36 and R 8-36 (sexual harassment), if appropriate.** Information contained in this box serves as a reminder to administrators; please delete it and update enclosure list prior to printing letter.

**Chesapeake City Public Schools  
312 Cedar Road  
Chesapeake, Virginia 23322**

**Section 504 Procedural Safeguards**

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (ADA), Chesapeake City Public Schools (CCPS) provides you with the following procedural safeguards in relation to your child:

1. You have the right to receive notice of any proposed actions related to the identification, evaluation, or educational placement of your child.
2. You have the right to examine all relevant records of your child.
3. You have the right to file a grievance with the school division over an alleged violation of Section 504 or the ADA.
4. You have the right to an impartial hearing, with participation by you and representation by your counsel, for disputes concerning the identification, evaluation, or educational placement of your child.
5. You have the right to a review of an impartial hearing officer's final decision if you disagree with that decision.

The Section 504/ADA Coordinator for CCPS is the Director of Special Education and may be contacted at the following telephone number: (757) 494-7600. Please contact the Section 504/ADA Coordinator regarding any questions related to Section 504 or the ADA. You may obtain a copy of CCPS's Section 504 Policies and Procedures by contacting the Section 504/ADA Coordinator at the above telephone number or at CCPS's Web site at [[www.cpschools.com](http://www.cpschools.com)]. Please note that all grievances and requests for impartial hearings and reviews must be in writing and submitted to the Section 504/ADA Coordinator at the following address:

Section 504/ADA Coordinator  
Chesapeake City Public Schools  
312 Cedar Road

Chesapeake, VA 2

## **DANGEROUS STUDENTS (IEP) PROCEDURES FOR 45-DAY INTERIM ALTERNATIVE PLACEMENT (IEP)**

An administrator can ask for a 45-school-day interim placement if a student with a disability engages in offenses involving drugs, weapons, or the infliction of serious injuries. Typically, this would **only be used** during an expulsion case where the behavior was found to be a manifestation and a parent then refused to sign an IEP for a change in educational placement.

*For purposes of IDEA, the term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 3 inches in length.*

*For purposes of IDEA, the 45-day interim alternative educational placement only applies to weapons, drugs as defined by federal law, or inflicting serious injury. Look-alike drugs and alcohol are not drugs as defined by federal law. Students may be disciplined for having these items, but the 45-day rule may not be used.*

The IEP team must determine an interim alternative placement that will enable the student to:

- continue to progress in the general curriculum, and continue to receive the services and modifications described in the current IEP, and
- receive services and modifications to address the behavior so it does not reoccur.

The IEP must be modified to reflect the new interim alternative placement and the Behavior Intervention Plan must be developed or revised to address the behavior of concern. In this isolated situation, parent consent on the IEP is not required.

### **Note to Administrators**

*Students may receive additional 45-day removals during a school year for separate acts of misconduct covered by the 45-day rule.*

### **EXPEDITED HEARING**

If a student with a disability is deemed to be dangerous, impose a suspension and, if appropriate, use the procedures for expulsion (see page 9). A dangerous student, whose behavior is **not a manifestation**, may be disciplined in the same manner as non-disabled students, except that educational services must be provided.

If a student with a disability poses a danger to himself/herself or others, and the conduct is a manifestation, the student’s placement may be changed by seeking parental permission through the IEP process. Invite the behavior consultant to the IEP meeting. If it is a manifestation and permission for a change in placement cannot be obtained, removal can be sought from a Special Education Hearing Officer through an expedited due process hearing; through an injunction from the courts; or in the case of drugs, weapons, or serious bodily injury, by imposing a 45 day alternative placement. Immediately contact your special education administrator.

In determining whether to remove a student, the Special Education Hearing Officer or judge will require information from the school in order to consider:

- whether the current placement is appropriate;
- whether the school shows substantial evidence that the student poses a danger to him/herself or others;
- whether the school has made reasonable efforts to minimize the risk of harm in the student's current placement; and
- whether the alternative educational program proposed by the school personnel meets the required standards (see 23).

### **CRIMINAL ACTIVITY**

Nothing prohibits a school from reporting a crime committed by a student with or without a disability to the appropriate authorities or prevents state law enforcement authorities from exercising their responsibilities concerning federal and state law for crimes committed by a student with a disability.

IDEA '04 states, "An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime." From this information, it is assumed that one should report to the intake officer information that would be necessary to protect the health and safety of the student or other individuals, and that one should report information that would affect the system's ability to effectively serve the student.

## **PARENT APPEAL AND STUDENT PLACEMENT (IEP or 504)**

Parents who disagree with any decision regarding placement or with the results of the Manifestation Determination Hearing (IEP) may request mediation or a due process hearing. **Any time a parent requests mediation or a due process hearing, refer them to the special education administrator for your building.** Inform the special education administrator of the situation and determine if there are other options available to resolve the contested issue.

Parents who disagree with the results of the Manifestation Hearing (504) do not have the right to appeal in a due process hearing.

If a parent challenges the manifestation determination (IEP) findings or disagrees with their student's placement, the student remains in the last placement for which the parent signed an IEP during the appeal, unless the student is in a 45-day placement resulting from drugs, weapons, or serious injury or has been placed pursuant to a Hearing Officer's decision. In those situations, the student remains in the 45-day placement or placement by the Hearing Officer during the appeal process.

Also, if the behavior is not a manifestation (IEP) and the student receives a long-term suspension or expulsion, the parent's failure to give permission to implement the educational program provided during the suspension/expulsion does not require the school division to invoke the stay-put rule.

### *Note to Administrators*

***Anytime a parent indicates an interest in pursuing mediation or a due process hearing, notify the special education administrator for your building.***

## **STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION**

A student who has not been determined eligible for special education and who has engaged in a violation of the school's rules may assert any of the IDEA 04's protections, if the school had knowledge that the student had a disability before the behavior occurred. The school shall be deemed to have knowledge that the student had a disability if:

- the parents expressed in writing, or orally if the parent cannot write, their concern that the student needed special education services;
- the student's behavior and/or performance demonstrated the need for special education services and related services;
- the student's parents requested an evaluation to determine if the child qualifies as disabled ,  
or
- the student's teacher or other school personnel expressed concern about the student's behavior or performance to the director of special education or other school personnel in accordance with the special education referral process.

The student is not entitled to the protections of IDEA 04's disciplinary provisions if:

-the school division conducted an evaluation, determined the student did not have a disability, and gave proper notice of such to the parents; or

-the parent of a student with a disability has not allowed an evaluation of the student or has refused services.

**If neither of these exceptions is applicable, and the school division is deemed to have had knowledge that a student has a disability, IDEA '04 disciplinary procedures and protections must be utilized.**

If a student, who has accumulated 10 days of suspension, was referred to the Child Study Committee and while waiting for a formal assessment, engages in behavior that warrants further days of suspension, an administrator can suspend with services and should request the assessment be prioritized.

### **REQUEST FOR EVALUATION DURING DISCIPLINARY PROCEDURES**

If the school has no reason to suspect a student has a disability and has not been given notice of such, the student receives the same disciplinary measures as non-disabled students.

If a parent requests an evaluation while a student is subject to disciplinary measures, and the school had no prior knowledge of a disability, the student may remain on suspension or expulsion which can include a denial of all educational services, while the special education needs of the student are being determined.

If a parent requests an evaluation while a student is subject to disciplinary measures, the Child Study Committee must meet and determine if a formal assessment is needed. If the disciplinary action involves a request for expulsion, and the Child Study Committee determines that a formal assessment is needed, the Child Study Committee must

- request the assessment be prioritized, and
- convene a Manifestation Determination Hearing and postpone making a final determination until eligibility results are available.

If the student is found to have a disability and requires special education services, the IEP team must convene to determine appropriate services and must complete the Manifestation Determination Addendum. **If the disciplinary procedures involved the Office of Discipline, a copy of the completed Manifestation Determination Hearing minutes must be forwarded to the Office of Discipline.**

## **DIRECTIONS FOR MANIFESTATION DETERMINATION HEARINGS AND FUNCTIONAL BEHAVIOR ASSESSMENTS/BEHAVIOR INTERVENTION PLANS**

**WHEN:** A Manifestation Determination Hearing (IEP or 504) must be held if a student suspected or identified as having a disability is considered for suspensions beyond 10 cumulative days or is being considered for expulsion. For students with 504 plans, behaviors related to alcohol or drug offenses do not require a Manifestation Determination Hearing.

For students with IEP's, a Functional Behavior Assessment/Behavior Intervention Plan (FBA/BIP) must be developed if a student's behavior is found to be a manifestation of their disability. An FBA/BIP does not have to be developed for behaviors not found to be manifestations. FBA/BIPs should be developed for students with 10 cumulative days of suspension if they have not previously been developed. FBA/BIPs must be developed and implemented for a change to a more restrictive educational placement.

**WHO:** The student's IEP or 504 team meets for the Manifestation Determination Hearing. The IEP team meets for the FBA/BIP. Other qualified personnel knowledgeable about how a disability can impact behavior, the meaning of evaluation data, and the placement options may be included in either the 504 or IEP meetings.

**HOW:** At the Manifestation Determination Hearing (IEP or 504), the committee must review the student's misconduct as it relates to the student's available evaluation, diagnostic, and observational information, and must review the IEP. The committee must determine if the behavior had a direct and substantial relationship to the student's disability or if the misconduct was the direct result of a failure to implement an IEP or 504 plan. The decision is made by a consensus of the participants.

If the IEP or 504 team determines that the behavior was **not a manifestation** of the student's disability, suspension may be imposed; however, for students with IEPs, educational services must be provided during the suspension. The IEP team determines the educational services to be provided and documents it on an IEP modification and/or *Written Notice of Proposed/Refused Action*.

If the IEP team determines that the behavior was **a manifestation** of the child's disability, suspension may not be used as a disciplinary action. A **Functional Behavior Assessment and Behavior Intervention Plan** must be developed to address the behavior of concern.

Prior to an IEP meeting to develop the FBA/BIP, the case manager can collect as much information as possible regarding the behavior of concern, and can develop a draft FBA/BIP. The FBA/BIP can be completed during the IEP meeting or the IEP team can agree to collect more information and reconvene. Either, the FBA/BIP available on IEP On-Line, or the FBA/BIP form in this manual (page 31) may be used.

Once the Behavior Intervention Plan is signed, it should be attached to the student's current IEP. The BIP will be effective during the current IEP. The student's general education teachers should be made aware of interventions that would affect their interactions with the student. The BIP should be reviewed periodically and modified if it is not effective. The BIP must be reviewed with each additional manifestation for suspensions beyond 10 days.

Name:  
Student ID:  
Date of Birth:

Chesapeake Public Schools

**Manifestation Determination Hearing**

---

Student: School:  
Date of Meeting: Disability Classification:

The IEP committee for this student met to review the relationship between this student's disability and the behavior subject to disciplinary action. The following information was considered in making the review:

1. The behavior subject to disciplinary action; a copy of the principal's letter documenting this behavior is attached.
2. Evaluation and diagnostic results :
3. Relevant information supplied by the parents of the student:
4. Observations of the child (list dates of observations):
5. The student's IEP and placement (date of most recent IEP), least restrictive environment on most recent IEP:
6. The behavioral intervention plan developed/reviewed for this student (Date of development of plan):
7. Other (specify):

**Decision:**

**Yes**  **No** Was the conduct in question caused by the child's disability, or did the conduct in question have a direct and substantial relationship to the child's disability?

**Yes**  **No** Was the conduct in question a direct result of the school district's failure to implement the IEP?

**Conclusion:** After review of information and considerations of Decision questions 1-2 (above), the committee has determined :

- The behavior of the student was not a manifestation of the child's disability, and relevant disciplinary procedures applicable to students without disabilities may be applied.
- The behavior of the student was a manifestation of the child's disability; appropriate IEP and placement review will be scheduled.
- The committee was unable to make a decision with the available information and has requested further information. \_\_\_\_\_

**Committee Members**

_____ Principal/Designee	_____ Date	_____ Special Education Teacher	_____ Date
_____ Parent	_____ Date	_____ General Education Teacher	_____ Date
_____ Behavior Consultant	_____ Date		

I have received a copy of my rights as a parent of a child eligible for special education services \_\_\_\_\_ (initial)

**Remember if holding an IEP meeting to complete an Addendum to the Manifestation Meeting, one must provide an appropriate IEP meeting invitation letter.**

**CHESAPEAKE PUBLIC SCHOOLS  
ADDENDUM TO THE MANIFESTATION DETERMINATION**

(To be used if the decision in the initial Manifestation Determination Hearing was tabled.)

Student's Name \_\_\_\_\_ Birthdate \_\_\_\_\_ School \_\_\_\_\_

Date \_\_\_\_\_ Initial Manifestation Determination Hearing Date \_\_\_\_\_

During the previous manifestation determination hearing, the following information was requested

\_\_\_\_\_.

A review of this information indicates:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**MANIFESTATION DETERMINATION FINDINGS (Select one of the following.)**

\_\_\_\_\_ 1. The committee finds the behavior of the student was not a manifestation of the student's disability. (The relevant disciplinary procedures applicable to students without disabilities may be applied. If this behavior occurred after 10 previous days of suspension, for students with IEPs, FAPE will continue to be provided, but may be provided in a different setting.)

Comments or modifications: \_\_\_\_\_

\_\_\_\_\_ 2. The committee finds the behavior was a manifestation of the student's disability. (If this behavior was a manifestation and occurred after 10 previous days of suspension no disciplinary action involving further suspensions may be taken at this time.)

Comments or modifications: \_\_\_\_\_

Participants	Date
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(File this report in the student's scholastic record. **If this matter was referred to the Office of Pupil Discipline and Student Services, FAX this report to 547-1342.**)

**CHESAPEAKE PUBLIC SCHOOLS  
CHESAPEAKE, VA**

**SECTION 504 EVALUATION & MANIFESTATION DETERMINATION**

Procedural Checklist: Both **must** be checked before the evaluation/manifestation determination may occur.  
 \_\_\_ Verify that the parent has been informed. [ \_\_\_ in writing \_\_\_ by phone \_\_\_ in person] of the date, time, and place of this evaluation/manifestation determination meeting.  
 \_\_\_ Verify membership of the Section 504 Committee, which must include persons with knowledge of each of the following three areas: (1) child (2) meaning of evaluation data, and (3) placement options.

Date: \_\_\_\_\_

Student \_\_\_\_\_ ID Number \_\_\_\_\_

School/Campus \_\_\_\_\_

List committee members and check area of knowledge (attach an additional page if necessary to list all members)

NAME	POSITION	KNOWLEDGE OF
		___ Child ___ Data ___ Placement
		___ Child ___ Data ___ Placement
		___ Child ___ Data ___ Placement
		___ Child ___ Data ___ Placement

The committee reviewed and carefully considered the following data which was gathered from a variety of sources.  
 [Please check each that applies, or attach copies of the data.]

- |  |   |
|--|---|
| ___ Grade reports<br>___ Disciplinary records/referrals<br>___ Standardized tests and other tests<br>___ Medical evaluations/diagnoses<br>___ Parent input | ___ Teacher/Administrator input<br>___ Student work portfolio<br>___ School Study Team suggestions<br>___ Special Education data<br>___ Other |
|--|---|

Behavior subject to disciplinary action:

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---

Student's Name: \_\_\_\_\_

List each of the student's 504 qualifying physical or mental impairments:

---

The 504 committee has reviewed and discussed the data listed above. Based on this review, the 504 Committee has made the following determination:

(1) Was the conduct in question caused by, or directly and substantially related to the student's disabilities?

YES

NO

(2) Was the conduct in question the direct result of the school's failure to implement the student's 504 plan?

YES

NO

**NOTE: IF EITHER OF THE DETERMINATION QUESTIONS IS ANSWERED "YES" THE BEHAVIOR MUST BE CONSIDERED TO BE A MANIFESTATION OF THE STUDENT'S DISABILITY. IN THAT EVENT, THE STUDENT CANNOT BE EXPELLED OR SUSPENDED BEYOND 10 SCHOOL DAYS.**

Committee Notes:

**CHESAPEAKE CITY SCHOOLS  
FUNCTIONAL BEHAVIORAL ASSESSMENT**

Student:  
School:

DOB:

Student ID:  
Date:

A Functional Behavioral Assessment (FBA) describes under what conditions, the student engages in a behavior, and what the assumed effects or reasons are for that behavior. To complete an FBA, identify only one or two behaviors. Determine if others working with the student observe the same behaviors, and collect data on the frequency and conditions under which the behaviors occur. Interview the student. If formal assessments are requested which require parent permission, use the *Chesapeake Public School Evaluation and Consent* form. Use all the information gathered to identify the function the behaviors serve and then develop a Behavioral Intervention Plan (BIP).

1. Describe the behavior of concern.
2. How often does the behavior occur and how long does it last? (**Attach data.**)\*
3. What is happening in the student’s environment when the behavior occurs?
4. Can you tell the behavior is about to start? If so how?
5. Where, when, and with whom is the behavior most likely and least likely to occur?
6. Are there academic or social skill deficits that are contributing to the behavior?
7. Are there other factors that appear to be maintaining the behavior?
8. **What is the likely function (intent) of the behavior?** (What do you think the student gains or avoids?)
9. What appropriate behavior(s) might serve the same function?

Additional Notes or Comments

Date	Signature of Persons Present	Relationship to student
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**CHESAPEAKE CITY PUBLIC SCHOOLS  
BEHAVIORAL INTERVENTION PLAN**

Student: \_\_\_\_\_ DOB: \_\_\_\_\_ Student ID: \_\_\_\_\_

School: \_\_\_\_\_ Date: \_\_\_\_\_

**This BIP will be used until** \_\_\_\_\_ **a) the development of a new IEP** \_\_\_\_\_ **(date)**  
\_\_\_\_\_ **b) other** \_\_\_\_\_ **(describe)**

**BIP Review Date** \_\_\_\_\_

Use the information collected in the Functional Behavior Assessment to develop this Behavior Intervention Plan.

1. Describe the goal(s) of this plan in measurable terms.
1. What are the short term goals?

To assist the student in meeting the stated goal(s), the IEP team has considered:

- A.) the conditions under which the inappropriate behavior(s) are most and least likely to occur
  - B.) any consequences that might reinforce the behavior(s);
  - C.) the likely function or intent of the behavior; and
  - D.) which appropriate behaviors might serve the same function for the student.
3. If the FBA (questions 3 and 5) identified factors in the environment that are contributing to the behavior, describe if and how they will be modified.
  4. If the FBA (question 6) identified academic skill deficits that contribute to the behavior, describe how these will be addressed.
  5. If the FBA (question 6) identified social skill deficits that contribute to the behavior, describe how these will be addressed.
  6. If the FBA (question 7) identified other factors that maintain the behavior, describe how these factors will be addressed.
  7. What is the student avoiding or gaining from the behavior and how will this be addressed?
  8. If the FBA (question 9) identified replacement behaviors, what are they, and how will the student be encouraged to use them?
  9. What type of data will be collected to determine if the student is making progress toward meeting the goal(s)? (*See Special Education Teacher's Guide to the Discipline of Students with Disabilities and Classroom Behavior Management* for data sheets.) Who will collect the data?
  10. Describe what the parent(s) agree to do.

Student's Name:

Date:

*Behavior Intervention Plan*

11. Describe what the student agrees to do.

This BIP will be reviewed during the week of \_\_\_\_\_

Date	Signature of Persons Present	Relationship to student
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I did participate in the development of this plan and I do approve of the plan.

Yes \_\_\_\_\_ No \_\_\_\_\_

I did not participate in the development of this plan, but I do approve of the plan.

Yes \_\_\_\_\_ No \_\_\_\_\_

Date \_\_\_\_\_ Signature of Parent/Guardian/Surrogate \_\_\_\_\_

**CHESAPEAKE PUBLIC SCHOOLS**  
**BEHAVIOR INTERVENTION PLAN REVIEW**  
**(To be conducted by the IEP Committee)**

Student: \_\_\_\_\_ DOB: \_\_\_\_\_ Student ID: \_\_\_\_\_

School: \_\_\_\_\_ Date: \_\_\_\_\_

The BIP review indicates:

The following revisions will be made in the plan:

This BIP will be reviewed during the week of \_\_\_\_\_

Date	Signature of Persons Present
------	------------------------------

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I did participate in the development of this plan and I do approve of the plan.

YES \_\_\_\_\_ NO \_\_\_\_\_

I did not participate in the development of the plan and I do approve of the plan.

YES \_\_\_\_\_ NO \_\_\_\_\_

Date \_\_\_\_\_ Signature of Parent/Guardian/Surrogate \_\_\_\_\_

**CHESAPEAKE PUBLIC SCHOOLS**  
**INFORMAL REVIEW OF BEHAVIOR INTERVENTION PLAN**

STUDENT: \_\_\_\_\_

DOB: \_\_\_\_\_

DATE \_\_\_\_\_

CURRENT SCHOOL: \_\_\_\_\_

TEACHER: \_\_\_\_\_

(Check One)

I have reviewed this student's current Behavior Intervention Plan and

\_\_\_\_\_ it is appropriate as it is.

\_\_\_\_\_ modification of the Behavior Intervention Plan is needed. (If this is checked, a meeting will need to be scheduled.)

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Teacher's Signature

\_\_\_\_\_  
Date

\*If this form is not received from the parent within five days, it will be assumed the parent is not currently requesting modifications in the Behavior Intervention Plan.

Teachers must return the form.

