

COMMONWEALTH
CHARTER ACADEMY

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS
WITH DISABILITIES

ADOPTED: January 17, 2018

REVISED:

<p>20 U.S.C. § 1400, et seq. 22 PA Code § 14.133</p> <p>22 PA Code § 12.6</p>	<p style="text-align: center;">113.2 DISCIPLINE OF STUDENTS WITH DISABILITIES</p> <p>§ 1. <u>Purpose</u></p> <p>When necessary, behavior support programs shall be developed and maintained for students with disabilities in order to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors.</p> <p>Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others shall be disciplined in accordance with their Individualized Education Program (IEP), behavior support plan, and Board policy.</p> <p>§ 2. <u>Authority</u></p> <p>The Board directs that Commonwealth Charter Academy staff shall comply with provisions of the Individuals With Disabilities Education Act (IDEA) and applicable federal and state regulations when disciplining students with disabilities for violations of Commonwealth Charter Academy policy or school rules and regulations. No student with a disability shall be expelled if the student’s particular misconduct is a manifestation of his/her disability.</p> <p>§ 3. <u>Guidelines</u></p> <p>A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, regardless of whether the student's behavior is a manifestation of his/her disability.</p> <p>Any removal from school is a change of placement for a student identified with mental retardation.</p> <p>A student with a disability whose behavior is not a manifestation of his/her disability may be expelled pursuant to Commonwealth Charter Academy policy and procedures. When a student is involved in direct instruction in a school program, the school's policy and procedures shall apply.</p>
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<p>24 P.S. § 13-1301-A, et seq.</p>	<p>A hearing officer may order removal of a student with a disability to an alternative setting for forty-five (45) days where Commonwealth Charter Academy demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.</p> <p><u>Weapons Violations</u></p> <p>A student with a disability who carries a weapon to a CCA virtual lesson or function may be removed from his/her current placement. The student shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days.</p> <p><u>Drugs/Controlled Substances Violations</u></p> <p>A student with a disability who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while attending a Commonwealth Charter Academy program or function may be removed from his/her current placement. The student shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days.</p>
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