

## **J-14 SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES**

To insure equal treatment, all students who are responsible for their conduct should expect to be disciplined under the same due process procedures. Because the law gives students with disabilities a different status from non-disabled students, a separate process has been developed to determine if the apparent misconduct of a student with disabilities is related to the student's disabling condition. If use of the procedure results in a decision that the apparent misconduct of a student with disabilities is not related to the student's disabling condition, then the student whose conduct may warrant suspension or expulsion will be provided appropriate due process in the same manner as all other students. If the apparent misconduct is determined to be a manifestation of the student's disability, a review of the student's individualized education program is appropriate. The Board insures that all students in the District will be held responsible for the consequences of their own conduct and be treated equally in view of that conduct, while at the same time recognizing the different status the law affords to the student with disabilities.

**ADOPTED: May 11, 2004**

**LEGAL REF: Individuals with Disabilities Education Act; Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973**