



Laraway Community Consolidated School District 70C

Procedures for Interventions for Students with Disabilities

1. Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The Board of Education will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

The District shall comply with the Individuals with Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's Special Education rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

2. At Laraway 70C, positive interventions that are designed to develop and strengthen desirable behaviors shall be implemented through the use of:
 - a. STOIC framework, a multi-tiered system of prevention and intervention:
 1. Structure - have routines and systems in place
 2. Teaching behaviors - show and explain desired behaviors
 3. Observe and monitor behaviors - staff are engaged with and in close proximity to students
 4. Interact positively with students - positive relationships, interactions and positive reinforcement provided to students
 5. Correct fluently - consistent, clear, direct and respectful corrections provided in the moment
 - b. CHAMPS program expectations, presented visually and verbally:
 1. Conversation (voice level)
 2. Help (what to do if you need help)
 3. Activity (what task students should be doing)
 4. Movement (what is the level of movement required)
 5. Participation (what students do)
 6. Success (end result)
 - c. Appropriate behavior is acknowledged through positive praise and the use of Lancer Bucks

- d. A continuum of consequences for problem behavior is maintained:

Reference of Behavior Levels and Possible Responses

Level 1 Behavior – Handled by classroom teacher	Level 2 Behavior – Notification to other staff members and/or admin that a pattern is developing or support is required.	Level 3 Behavior – Office Referral: Administrative involvement and documentation is required.
• Blurting/calling out in class • Touching (non-sexual) • Making noises • Not following directions • Name calling • Excessive talking • Profanity (accidental) • Throwing objects (no harm intended) • Out of seat • Not paying attention • Spitting on the ground • Walking/climbing on furniture • Work not complete • Cutting in line • Misuse of equipment • Prohibited objects at school (toys or tech devices) • Running the hallways/passing areas • Lying • Tardiness (Jr. High only – tardy to class, not to school) • Tantrum • Inappropriate conversation • Minor Stealing • Talking back to adults • Playing in restroom or hallways • Harmless inappropriate play (picking someone up, tackle football)	• Habitual lying • Dress code violation • Severe Tantrum • Misuse of pass • Habitual minor stealing • Targeting others (early stage)** • Intentional use of profanity • Refusal to do work • Habitual talking back to adults • Damaging property • Habitual misuse of equipment • Habitual playing in restroom or hallways • Harmful or habitual inappropriate play • Defiant refusal to follow directions • Tripping/Pushing with intent to harm • Throwing objects or food (someone hit but not harmed) • Bullying behaviors (early stage or not severe)** • Cheating	• Threats to persons or property • Major theft of school or personal property • Injury to a person/Willful Violence • Weapon or dangerous object-possession and/or brandishing • Sales of “look-alike” drugs • Robbery or extortion • Damage to property-severity of incident or habitual* • Defiance or Disruption *** -The teacher’s direction must meet three conditions • Receiving Stolen Property • Simulated Weapon • Sexual Assault or battery • Hazing – Actual or Attempted • Engaged in Bullying ** (Severe or Chronic)/Cyber bullying • Aid or abet an injury to a person • Possession/Distribution/Sales of controlled substance, Tobacco and paraphernalia • Gang like activities: Visual symbols, representation, paraphernalia • Profanity towards adults • Verbal Aggression

Responding to Level 1 Misbehavior	Responding to Level 2 Misbehavior	Responding to level 3 Misbehavior
• Universal Baseline Prevention: - Classroom management plan in place / CHAMPS - Social Emotional Lesson in Place • Student Communication Incident specific w/ targeted individual or group - Planned Discussion - Taught Expected Behavior/Skills - Re-taught Expectations - Verbal Warning • Changed Student Seating • Proactive Parent Contact and/or Conference • Increase positive interactions / data collection (3:1) • Behavior Logs • Loss of Classroom Privileges (time off recess, prize box, change of seat, etc.) • One-line redirections	• Continue or apply additional Level 1 Strategies • Meaningful Work/Student Jobs • Notice to support staff and or administration (Email) • Referral to the site-level Problem Solving Team (For habitual offenses) • Detention: in class, recess, lunch time, afterschool • Refer to Social Work • Teacher Developed Plan	• Continue or apply additional Level 1 and 2 strategies • Re-teach Behavioral Expectations • Parent/Teacher/Administrator Conference • In-School Suspension • Suspension (Follow Discipline Matrix) • Referral for Expulsion (Follow Discipline Matrix) • Crime Report (Follow Discipline Matrix) • Saturday Detention • Loss of District Incentive-Based Privileges (assembly, field trip, success celebration, etc.)

Note: Developmental appropriateness for behaviors should always be considered when evaluating and responding to behaviors in each level.

Key:

*The number of incidences required for a behavior to be defined as “habitual” is generally three times

**Bullying behaviors are labeled as such when they are purposeful, involve an imbalance of power (physical, social, or other type) and are part of a behavior pattern. They occur on a spectrum from early-stage to severe or chronic.

➤ Verbal bullying behaviors such as teasing, name calling, spreading rumors or gossip, etc.

➤ Physical bullying behaviors such as pushing, hitting, kicking, etc.

➤ Social Exclusion bullying behaviors such as purposefully isolating or leaving others out, starting gossip/rumors to exclude or be cruel, etc.

***Conditions for Defiance Level 3

1. The first direction given is clear, observable and immediate;

2. The second direction is repeated with the seriousness emphasized;

3. The third direction is repeated & written on paper, along with the student’s response to the teacher’s direction

3. Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, Bus Conduct.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, Suspension Procedures. A student who has been suspended shall also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, Expulsion Procedures. A student who has been expelled shall also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs

(controlled substances), look-alikes, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Isolated Time Out, Time Out, and Physical Restraint

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 IL Admin.Code 89 1.280, 1.285), and the District's procedure(s).

4. Criteria for determining when a student with disabilities may require a behavioral intervention plan includes:
 - a. If the IEP team determines a student's behavior impedes his or her learning or the learning of others, positive behavioral interventions, supports and other strategies will be implemented and monitored.
 - b. If the IEP team determines, through monitoring the student's behavior, that a Behavior Intervention Plan is required, parental consent to conduct a Functional Behavioral Assessment will be obtained, and a Behavioral Intervention Plan developed: A behavioral intervention plan shall be based on a functional behavior assessment and shall include positive behavioral intervention strategies, and supports to address the inappropriate behavior. A functional behavioral assessment shall be completed, if appropriate, in relationship to the development or modification of a student's behavioral intervention plan. A functional behavioral assessment is an assessment process for gathering information regarding a student's target behavior, its antecedents and consequences, controlling variables, the student's strengths, and the communicative and functional intent of the behavior, for use in developing behavioral interventions. The conduct of the functional behavioral assessment

does not require parental informed written consent unless the IEP Team decides to conduct individualized assessments that go beyond the review of existing data and the administration of tests or other evaluations that are administered to all children.

5. Discipline of Children with Disabilities

The District shall comply with the provisions of the IDEA when disciplining students with disabilities. No special education student will be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his/her disability. Any special education student whose gross disobedience or misconduct is not a manifestation of his/her disability may be expelled pursuant to the expulsion procedures, except that such student shall continue to receive educational services as provided in IDEA during the period of expulsion.

A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of gross disobedience or misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his/her disability, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another) and provided that such student receives educational services to the extent required by IDEA during such removals.

Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois impartial due process hearing officer changing the student's placement to an appropriate IAES for up to 45 school days, if the District demonstrates that maintaining the student in his/her current placement is substantially likely to result in injury to the child or others.

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of controlled substance while at school or a school function or who has inflicted serious bodily injury upon another person while at school or at a school related activity may be removed from his/her current placement. All such students shall be placed in an appropriate IAES for no more than 45 school days in accordance with IDEA. The length of time a child with a disability is placed in an alternative educational setting must be the same amount of time that a student without a disability would be subject to discipline.

Upon the occurrence of any act that may subject the student either to expulsion from school or suspension resulting in more than 10 cumulative days of suspension during any one school year, the District shall convene a meeting of the IEP Team to review the student's behavioral intervention plan or, if a behavioral intervention plan has not yet been developed, to develop one.

Change of Placement

For purposes of this subsection, a disciplinary removal constitutes a “change of placement” if:

- a. A student is removed from the his/her current educational placement for more than 10 consecutive school days; or
- b. The student has been subjected to a series of removals that constitute a pattern:

- (1) Because the series of removals total more than 10 school days in a school year;
- (2) Because the student’s behavior is substantially similar to the student’s behavior in previous incidents that resulted in the series of removals; and
- (3) Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

Special Education Suspension Procedures

All suspension notices and suspension review procedures established by the School Code shall be followed when suspending a special education student. In addition, a special education student who is suspended from school for more than 10 cumulative school days in a school year shall receive educational services in accordance with IDEA.

The first time a student is removed for more than 10 cumulative school days during the school year, the District shall, no later than 10 business days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student’s behavioral intervention plan, as necessary, to address the student’s behavior. If no behavioral intervention plan is in place, the IEP Team shall develop a plan for a functional behavioral assessment that must be used to develop a behavioral intervention plan.

For all subsequent removals of the student that do not constitute a change in placement, the IEP Team members must review the behavioral intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP Team must be convened to review the plan and revise it, if appropriate. If a subsequent removal does constitute a change in placement, a manifestation determination review is required.

For all removals that exceed 10 cumulative school days during one school year, the District must provide services to the student. School personnel, in consultation with at least one of the child’s teachers, shall determine the services to be provided. Such services must be designed to enable the child to progress in the general curriculum and advance toward his/her IEP goals.

Special Educational Expulsion Procedures

The District shall promptly notify the student's Parent(s) of the gross disobedience or misconduct and whether the student shall be recommended for expulsion. All procedural protections pertaining to notice provided under the District's discipline policy shall apply to a notice of recommended expulsion in the case of a special education student.²⁰⁶

The Parent(s) shall also receive a copy of the procedural safeguard and written notification that a manifestation determination review must be made to determine whether the student's act of gross disobedience or misconduct is a manifestation of his/her disability. The manifestation determination review shall take place as soon as possible, but no later than 10 school days after the decision related to the discipline of the student is made.

The manifestation determination review must be completed by Parent(s) and relevant members of the student's IEP Team (as determined by Parent(s) and the District).

In carrying out the manifestation determination review, the IEP Team shall consider, in terms of the behavior subject to the disciplinary action, all relevant information in the student's file, including:

- a. The student's IEP;
- b. Any teacher observations of the student; and
- c. Any relevant information provided by the Parent(s).

The conduct must be determined to be a manifestation of the student's disability if it is determined that:

- a. The conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- b. The conduct in question was the direct result of the District's failure to implement the student's IEP. I

If, at the manifestation determination review conference, it is determined that the behavior of the student was a manifestation of his/her disability, the authorized administrator shall not continue with his/her recommendation for expulsion. The authorized administrator may request a review of the appropriateness of the educational placement of the student in accordance with the federal and State law. During the period necessary to propose a new placement, the student will remain in his/her then-current placement unless:

- a. The student has not served a full 10 school day suspension imposed for the gross disobedience or misconduct, in which case the student may be required to serve the remaining days of his/her suspension; or
- b. The Parent(s) and the District agree on an interim placement; or

c. The District obtains an order from a court of competent jurisdiction or a State of Illinois impartial due process hearing officer decision changing the then-current placement or providing for other appropriate relief.

If, at the manifestation determination review conference, it is determined that the behavior of the student was not a manifestation of his/her disability, the authorized administrator may continue with his/her recommendation that the student be considered for expulsion by the Board of Education. In addition to issues regularly determined at an expulsion hearing, the authorized administrator must present evidence that the manifestation determination review team met and concluded that the student's misconduct was not a manifestation of his/her disability, which shall be duly noted by the Board of Education. The administration shall ensure that relevant special education and disciplinary records of the student are transmitted for consideration by the Board of Education.

If a special education student is expelled from school in accordance with the procedures set forth above, the District shall convene an IEP meeting to develop an educational program to deliver educational services to the student during such period of expulsion.

Misconduct Involving Weapons, Drugs, or Infliction of Serious Bodily Injury

In accordance with the above procedures, the District may take one or more of the following steps when a student with a disability carries a weapon to school or to a school function, or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function, or has inflicted serious bodily injury upon another person while at school or a school-related function:

- a. Suspend the student from school for 10 school days or less.
- b. Convene an IEP conference to: (a) determine placement in an IAES for up to 45 school days, (b) review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior (if no behavior intervention plan is in place, the IEP Team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan), and (c) conduct a manifestation determination review.

(1) The student may be placed in an IAES even if the behavior is a manifestation of the student's disability.

(2) The IAES must:

- (a) Enable the student to continue to progress in the general curriculum;
- (b) Enable the student to receive the services and modifications set forth in his/her IEP; and
- (c) Include services and modifications designed to address the misconduct to

prevent it from recurring.

If the Parent(s) disagree with the IAES placement or with the District-proposed placement and initiate a due process hearing, the student must remain in the IAES during the authorized review proceedings, unless the Parent(s) and the District agree on another placement.

Change of Placement if Maintenance of Current Placement Is Likely to Result in Injury

In the event that maintenance of a student's current placement is substantially likely to result in injury to the student or to others, the District may seek an order from a court of competent jurisdiction or a State of Illinois impartial due process hearing officer to change the student's placement to an appropriate IAES for one or more 45 school day periods after convening an IEP meeting to:

- a. Conduct a manifestation determination review following procedures described under sub-heading "Special Education Expulsion Procedures," above, and
- b. Determine a proposed IAES that meets the requirements under subheading "Misconduct Involving Weapons, Drugs, or Infliction of Serious Bodily Injury," above.

The length of time a child with a disability is placed in an alternative educational setting must be the same amount of time that a child without a disability would be subject to discipline.

Referral to and Action by Law Enforcement and Judicial Authorities

The District is not prohibited from reporting a crime committed by a child with a disability to appropriate authorities. The District shall ensure that copies of special education and disciplinary records are also transmitted to the authorities in such instances, subject to the requirements of federal and State law.

LEGAL REF.:

20 U.S.C. §§ 1412 (State eligibility), 1413 (Local educational agency eligibility), 1415 (Procedural safeguards).

34 C.F.R. §§ 300.101 (Free appropriate public education (FAPE)), 300.530- 300.535 (Discipline Procedures).

105 ILCS 5/10-22.6 (Suspension or expulsion of pupils; school searches), 5/14-8.05 (Behavioral intervention).

23 Ill. Admin. Code §§ 226.50 (Requirements for a Free Appropriate Public Education (FAPE)), 226.75 (Definitions), 226.220 (Development, Review, and Revision of the IEP), 226.400 (Disciplinary Actions), 226.655 (Expedited Due Process Hearing). 216 34 C.F.R. §300.535.

6. The guidelines of the State Board of Education have been reviewed and considered and conform to the requirements of Section 14-8.05(c) of the School Code. To request a copy of the Illinois State Board of Education Behavioral Guidelines, contact:

Illinois State Board of Education
100 North First Street
Springfield, IL 62777