

POLICY 5144.2

YOLO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

SUSPENSION/EXPULSION AND MANIFESTATION DETERMINATION

POLICY:

It is the responsibility of each member Local Education Agency (LEA) of the Yolo County SELPA to assure that data on suspension and expulsion rates will be provided in a manner prescribed by the California Department of Education (CDE). When indicated by data analysis, the LEA further assures that policies, procedures and practices related to the development and implementation of the Individualized Education Programs (IEPs) will be revised.

In addition, the Yolo County SELPA member LEAs will follow manifestation determination requirements according to both Education Code and Title 20 regulations, believing that all students have a right to a protected learning environment. With few exceptions, students with disabilities are subject to the same type of disciplinary procedures as their typical peers. However, it has been established that exclusion from school for more than 10 consecutive days amounts to a change in placement.

As a result, before a disciplinary action may be contemplated, a number of procedural safeguards are to be in place. A meeting to determine whether the behavior leading to disciplinary action was or was not a manifestation of the child's disability and to insure the Individualized Education Program (IEP) was implemented will be conducted at any time when removal of a student with a disability from an educational program beyond the 10th day is being considered or whenever commencing a removal that would constitute a change in placement.

Reference: EC 48915.5
20 USC § 1412 (a) (22)
20 USC § 1415 (k)
34 CFR § 300.530

Superintendents' Council

Adopted: April 16, 2008
Second Reading: December 12, 2007
First Reading: October 17, 2007

PROCEDURE 5144.2

**YOLO COUNTY SPECIAL EDUCATION
LOCAL PLAN AREA (SELPA)**

SUSPENSION/EXPULSION
AND
MANIFESTATION DETERMINATION

PROCEDURES:

The Yolo County SELPA member Local Education Agencies (LEAs) will follow the guidelines as set forth under the SELPA Disciplinary Protocols for Students with Disabilities, as adopted by the Program Administrators Committee (PAC) and developed by the Behavior Specialists/SELPA Program Specialist workgroup.

Superintendents' Council

Adopted: April 16, 2008

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