

MINA Charter School

EC Student Discipline Policy

The Lead Administrator may, for not more than 10 school days in a row, remove a student with a disability who violates the MINA Charter School (MCS) code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. The Lead Administrator may also impose additional removals of the student of not more than 10 school days in a row in that same school year for separate incidents of misconduct, if those removals do not constitute a change of placement. Once a student with a disability has been removed from school for a total of 10 school days in the same school year, the Lead Administrator must, during any subsequent days of removal in that school year, provide services to that student.

Services

The Lead Administrator must provide services to a student with disabilities who has been removed from MCS for more than 10 days. The Lead Administrator may provide those services after school on the MCS campus or in an interim alternative educational setting. The Lead Administrator is not required to provide services to a student with a disability who has been removed from MCS for 10 school days or less in a school year, unless services are provided to non-disabled MCS students.

A student with a disability who is removed from MCS for more than 10 school days and the behavior is not a manifestation of their disability, the Lead Administrator will (a) continue to provide educational services to the student with disabilities that may be in an interim alternative educational setting and, if necessary, (b) receive a functional behavioral assessment, behavioral intervention services and modifications to address the behavior violation so that it does not happen again.

If the removal of an MCS student with disabilities is a change of placement, the student's IEP Team will determine the appropriate services to enable the student to continue to participate in the general education curriculum while in another setting and to progress toward meeting their IEP goals.

Manifestation Determination

Within 10 school days of any decision to change the placement of an MCS EC student due to code of student conduct violation, the student's IEP Team will review all relevant information in the student's IEP, and any relevant information provided by MCS personnel or by the student's parent/guardian to determine if the conduct was related to their disability or if their conduct was the direct result of MCS's failure to implement the IEP. If the IEP team decides either one of these conditions was met, then the behavior is considered a manifestation of the disability and the Lead Administrator will take immediate actions to remedy the situation.

The Lead Administrator will ensure that the IEP team conducts a functional behavioral assessment and implements a behavioral intervention plan or if a behavioral intervention plan already has been developed, then the IEP team will review it and modify it

accordingly to address the EC student's behavior.

Under special circumstances the MCS Lead Administrator may remove an EC student from school whether or not the behavior is a manifestation of the IEP for up to 45 days if the student (a) brings a gun to campus, (b) uses or distributes illegal drugs on school grounds or, (c) causes serious bodily injury.

Adopted and approved by MCS: 05/20/2020