

REGULATION

BOARD OF EDUCATION
HIGH POINT REGIONAL

NO. 2460.07
Special Education

FREE AND APPROPRIATE PUBLIC EDUCATION

A free, appropriate public education is available to all pupils with disabilities between the ages of three and twenty one, including pupils with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free appropriate public education to pupils with disabilities who are suspended or expelled from school:

1. School officials responsible for implementing suspensions/expulsions in the district are the following:

Grades 9-12 Principal/Vice Principal or designee;
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal. (Notification must be in written format for documentation - attach form.)
3. Each principal or designee will ensure that a system is in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons. Documentation will include:
 - a. Pupil's name;
 - b. The infraction;
 - c. Time suspended; and
 - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a disabled student is suspended from transportation:
 - a. Suspension from transportation is not counted as a day of removal if the pupil attended school.
 - b. Suspension from transportation is counted as a day of removal if the school district does not make an alternate means of transportation and the pupil does not attend school.
 - c. Suspension from transportation may be counted as a day of absence rather

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than a day or removal if the district made available an alternate means of transportation and the pupil does not attend school.

5. When a pupil with a disability participates in an in school suspension program, the Principal or designee shall ensure that participation in the program is not counted as a day or removal if the program meets the following criteria:
 - a. The pupil has the opportunity to progress in the general curriculum,
 - b. Services and modifications specified in the pupil's IEP can be provided in the in-school suspension program,
 - c. Interaction with non-disable peers to the extent they would have in the current placement, and
 - d. The pupil is counted as present for the time spent in the in-school suspension program.

6. When a series of short term removals accumulate to more than ten school days in the year:
 - a. The Principal/Vice Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(b)2. Documentation of this meeting will be maintained in the student's file.

 - b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee and the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
 - (1) Enable the pupil to progress appropriately in the general education curriculum;
 - (2) Advance appropriately toward achieving the goals set out in the pupil's IEP; and
 - (3) Written documentation of the consultation and services provided is maintained in the pupil's file.

7. When a disabled pupil is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager

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shall convene an IEP meeting to:

- a. Review the behavioral intervention plan and its implementation;
- b. Determine if modifications are necessary; and
- c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting.

Procedures Regarding the Provision of a Free, Appropriate Public Education to Pupils with Disabilities Who are Advancing from Grade to Grade:

The Supervisor of Special Education, through in-service training, shall ensure pupils with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as a part of a re-evaluation, the IEP team determines the pupil continues to require specially designed services to benefit from education and progress in the general education curriculum; and the IEP team will use functional assessment information to support the determination to continue eligibility.

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