

Discipline Procedures for District-approved Student Transportation

All students eligible for district-approved student transportation shall receive safety instruction and a code of conduct.

Violation of the code of conduct or conduct which jeopardizes the health/safety of self and/or others may result in the loss of district-approved transportation services.

The following procedures address:

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| 1. Safety instructions; | 6. Right of appeal; |
| 2. Code of conduct; | 7. Reinstatement; |
| 3. Violations; | 8. Education; |
| 4. Suspension; | 9. Special education students. |
| 5. Expulsion; | |

1. Safety Instructions

A. Each October and February the transportation contractor will direct all bus drivers to conduct a safety review with all students who are transported regularly as well as those students who walk, but ride for other activities such as athletics, choir, etc.

1. The drivers shall review the code of conduct which is to be posted in each District vehicle.
2. The drivers shall review the consequences of a violation as outlined in this procedure.
3. The drivers shall conduct unloading, loading and emergency exit evacuation drills.
4. The drivers shall review all hazards such as crossing a road and bus stop conduct.

B. Each October and February the transportation contractor will direct all bus drivers to conduct a safety review with all students.

1. The drivers shall review safe bus riding procedures.
2. The drivers shall review use of emergency exits.

C. The transportation contractor will record dates and content of safety instructions by each driver. Such information shall be kept as a part of the district's records.

2. Code of Conduct

- A. Each year the district will include the transportation rules in the student/parent handbook or issue a code of conduct to all students and parents accompanied by EEA-Form 1 to be signed as the acknowledgment of being read and understood.

The district will provide interpretation to those students/parents whose primary language is not English.

3. Violations

- A. Each year the district will include the following procedures for violations in the student/parent handbook or issue procedures to all students and parents accompanied by a form to be signed as an acknowledgment of being read and understood.

The district will provide interpretation to those students/parents whose primary language is not English.

DISCIPLINARY PROCEDURES FOR VIOLATIONS

- 1. First Citation - Warning*: The driver verbally re-states behavior expectations and issues a warning citation*.
- 2. Second Citation*: The student is suspended from riding the bus until a conference, arranged by the transportation contractor, has been held with the student, the parent/guardian, the bus driver, the transportation contractor, and the principal.

The principal shall make a decision which provides guidelines for the student to follow when transportation services are reinstated.
- 3. Third Citation* of the year: The student receives a five (5) to ten (10) day suspension from riding the bus and will not be able to ride the bus until a conference, arranged by the transportation contractor, has been held with the student, the parent/guardian, the bus driver, the transportation contractor, and the principal. At this time a behavior contract will be made with the student and a bus seat may be assigned. Further violations of bus regulations will be considered a

severe violation.

The principal shall make a decision which provides guidelines for the student to follow when transportation services are reinstated.

4. Severe Violations:

Any severe violation will result in the immediate suspension from riding the bus, of the student, for a minimum of ten (10) days pending an expulsion hearing from riding the bus. The principal shall act as the hearings officer. The hearing will be arranged by the transportation contractor, involving the student, the bus driver, the transportation contractor, the parent/guardian and the principal.

The principal shall make a decision which provides guidelines for the student to follow when transportation services are reinstated.

5. In all instances, the appeal process may be used if the student and/or parent/guardian desires.

* All citations must be signed by the parents, the transportation contractor, the bus driver and the principal before the student will be allowed to ride the bus again.

6. Right of Appeal

- A. At each step of the discipline procedures used in district-approved transportation services, parents, students and/or a representative have a right to appeal.
- B. All appeals must be verbal or in writing.
- C. Appeals are to be made to the responsible person at each level of appeal.
 - 1. An appeal concerning a first citation shall be made to the principal.
 - 2. An appeal concerning suspension shall be made to the superintendent.
 - 3. An appeal concerning expulsion shall be made to the Board.
- D. Principal, Superintendent and Board decisions for the first citation, suspension and expulsion, respectively, are final.

7. Education

- A. Disciplinary action for violating the transportation code of conduct and/or transportation health and safety requirements shall be confined to district-approved transportation services.

Therefore, students who have lost district-approved transportation services

through a disciplinary action shall be expected to continue with the district's attendance and educational requirements.

8. Special Education Students

A. Individualized Education Program (IEP) Team Review

1. Suspensions - up to 10 days

- a. The IEP team may be convened when students are to be, or have been suspended, especially if the student has been suspended more than once. The purpose of the IEP meeting is to review assessment information and determine whether modifications to the IEP, a change of placement or behavioral interventions are needed to address the inappropriate behavior and teach appropriate replacement behaviors.
- b. Parents shall be notified immediately if their student will be or has been suspended so that they can assist the school in gathering pertinent information relative to the student's behavior and in exploring options to support the student.
- c. Some of the options the school could consider to support the students include:
 - 1) Meet with the parents to discuss student needs;
 - 2) Conduct a behavioral evaluation;
 - 3) Develop a behavioral plan;
 - 4) Revise the IEP to reflect behavioral goals for the student and planned interventions, adaptations and responses to behavioral incidents;
 - 5) Revise IEP to special education or related services (e.g. counseling) to address behavior.

2. Repeated Suspensions and Expulsion - more than 10 days

- a. The IEP team must be convened before any of the following disciplinary actions are applied:
 - 1) Suspension for ten (10) cumulative school days in the current placement;
 - 2) Recommendation for expulsion.
- b. If a student is being considered for any of the disciplinary actions identified above, the IEP team must determine whether the student's misconduct is a manifestation of the student's disability or is the result of an

inappropriate placement.

3. Bus Suspensions

Suspensions from the school bus are considered suspensions from school if they effectively prevent the student from accessing the school. As such, all of the above procedures relative to short and long term suspensions apply to bus suspensions.

B. Decision of the IEP Team

Determining whether the misconduct is a manifestation of the student's disability:

- a. Before expulsion or suspension of more than 10 days, the IEP team must determine whether the misconduct is a manifestation of the student's disability;
 - b. If the result of the review is a determination that the behavior was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied. However, the district must continue to provide a free appropriate public education to the students.
2. When the misconduct is related to student's disability or results from inappropriate placement/program.
 - a. The district shall not expel or continue to suspend the student for more than 10 days.
 3. When the IEP team has determined that the behavior is not a manifestation of the student's disability and/or does not result from inappropriate placement/program:
 - a. The district may expel or continue to suspend the student;
 - b. Prior to a proposed expulsion or long term suspension, a school district shall notify the parents in writing about the following:
 - 1) IEP meeting to develop or revise the current IEP and consider
 - 2) Change of placement to an accessible and appropriate alternative educational program;
 - 3) Parental rights under special education law, including the right to a due process hearing (Notice of Procedural Safeguards);
 - 4) Intent to conduct a hearing to consider expulsion, the reason for proposing

expulsion, supporting facts, and the rights of students and parents related to the conduct of the hearing as required by OAR 581-021-0070; and

5) The right of the parents or student, if the student is 18 years or older, to waive the expulsion hearing procedure.

- c. An IEP team meeting shall be convened to develop an IEP for the suspension/expulsion period. The IEP team should determine whether:
 - 1) Additional special education and related services are needed to address the inappropriate behavior related to the suspension/expulsion;
 - 2) Restructuring of the current IEP will be necessary to prevent regression in student learning; and
 - 3) The alternative educational programs proposed by the district will be compatible with the student's regular and special educational needs.
- d. The IEP team should encourage the development of a regular education "reentry plan" that allows the student to earn credit for his/her academic work during the suspension/expulsion period. The student's regular education program shall not be suspended or withdrawn, but may be modified to enable the student to continue working on academic requirements for classes or for high school graduation.
- e. The IEP team should make the following decisions after reviewing and revising the student's IEP as appropriate:
 - 1) Determine whether the proposed educational placement will meet the "least restrictive environment" requirements during the period of the suspension/expulsion. The alternatives may include placement:
 - a) At another school within the district;
 - b) In another school district;
 - c) In an alternative school or program;
 - d) In a private educational agency program;
 - e) In a day treatment program;
 - f) In a residential program that provides for home instruction; or
 - g) Home instruction.
 - 2) If home instruction is being considered as a placement option, the IEP team should document that this decision was carefully considered and took into account the student's need to be educated with non-disabled students where feasible.

- 3) If an alternative educational program is being considered, the IEP team shall ensure that it will be able to incorporate the special and regular education needs of the student.

C. Students exhibiting dangerous behavior

1. If the district determines that the student's behavior in current placement, is substantially likely to result in injury to self or others and the parent requests a due process hearing to consider the change in placement, the district may suspend the student for up to ten consecutive or cumulative school days to provide a planning and "cooling off" period. However, at the end of ten days, the student would stay put in the current school placement unless the district secures a hearings officer or court order.

A hearings officer or court order requires that the district demonstrate:

- a. The appropriateness of the student's current placement;
 - b. That the current placement is substantially likely to result in injury to students or others;
 - c. That reasonable efforts have been made to minimize risk of harm in current placement; and,
 - d. That the interim alternative education placement meets requirements.
2. Since there will be a limited amount of time in which to secure a court or hearings officer order to change the placement of a student exhibiting dangerous behavior, the district will need to act quickly if it believes that the parent/guardian(s) are likely to request a due process hearing to prevent such a placement change. Steps to be taken in such an event may include:
 - a. Contact the district's attorney;
 - b. Set IEP meeting to make manifestation determination and review student's needs, IEP and placement as described above;
 - c. Inform parents of district intention to seek court ordered relief from maintaining the placement;
 - d. Gather evidence to support the claim that the student is substantially likely to injure self or others and the district made reasonable effort to minimize risk of harm in current placement. Such evidence may include:
 - 1) Evaluation reports relating to student behavior;
 - 2) Documentation of direct observations of the student's behavior;
 - 3) Teacher-completed incident reports;
 - 4) Records of office referrals;

- 5) The student's IEP and documentation regarding implementation of services;
 - 6) IEP meeting minutes and notations; or
 - 7) Notices to parents related to IEP meetings and proposed changes;
 - 8) Functional behavioral assessments and behavior intervention plans and documentation regarding implementation.
- e. Prepare a contingency plan for use in the event that court ordered relief is not obtained.