

**EXPULSION OF SPECIAL NEEDS STUDENTS**

For purposes of this Administrative Regulation, expulsion is defined as action taken by the Board of Education to remove a special needs student from the school program for gross violations of district policy.

When a building administrator recommends expulsion of a special needs student, the administrator in charge of Student Services shall utilize the procedures outlined in Administrative Regulation 504.5-R1. In addition to the procedures set forth in 504.5-R1, the following practices shall apply when special needs students are recommended for expulsion:

1. If the administrator in charge of Student Services is in agreement with the recommendation for expulsion, he/she shall immediately notify the student's parents and the Assistant Superintendent for Student and Educational Services. Such notice may be given orally or in writing. If an oral notice is given, the written notice must follow within twenty-four (24) hours.
2. The administrator in charge of Student Services shall make a referral to the Individual Education Program (IEP)/staffing team to review the student's educational program and complete a manifestation determination prior to the administrator in charge of Student Services making a recommendation to the Board of Education on the expulsion of the special needs student.
3. The IEP/staffing team shall meet to consider the relationship of the student's inappropriate behavior to his handicapping condition and to consider the appropriateness of the student's current educational programming. At this time a re-evaluation by the diagnostic team may be initiated. The IEP/staffing team shall consist of the building administrator, a representative of the agency other than the student's teacher who is qualified to provide or supervise the provision of special needs; the student's teacher; members of the diagnostic-educational team; the student's parent, guardian or legal custodian; the student if appropriate; and other individuals as designated by the parents, school district or Assistant Superintendent for Student and Educational Services.

School officials are required to inform the parent, guardian, or legal custodian that they have a right to request an independent educational evaluation at public expense.

4. The IEP/staffing team shall provide a report to the Assistant Superintendent for Student and Educational Services, and the administrator in charge of Student Services that contains information on the perceived relationship between the student's misbehavior and the student's handicapping condition and the appropriateness of the student's current educational programming. The IEP/staffing team will not address the issue of expulsion.

If the IEP/staffing team determines that the student's misbehavior is related to his handicapping condition and/or the student is placed in an inappropriate program, the student may not be expelled. The IEP/staffing team may consider

moving the student to a more appropriate placement following due process procedures.

If the IEP/staffing team determines that the student's misbehavior is not related to his handicapping condition and that the student's current educational program is appropriate, the Director of Student Services may recommend to the Board of Education that the student be expelled. Parents must be informed of their right to file an appeal for an impartial administrative hearing. Stay put provisions shall remain in effect during the administrative hearing process.

5. If the Board of Education decides that the student shall be expelled, the IEP/staffing team shall meet again to determine an appropriate alternative educational program for the expelled student. Expulsion of a special needs student does not mean that educational services are terminated.

If the IEP/staffing team determines that a home instruction program is necessary for an special needs student who has been removed from the school because of unacceptable school behavior, the IEP/staffing team will review the home instruction program at least every 30 days to determine the appropriateness of the home instruction program.

- \* Code of Iowa, Chapter 281 defines these students as special needs students. Special needs students as defined herein does not apply to gifted students unless there is an accompanying handicapping condition.

ADOPTED: 6/11/90  
10/4/01  
5/2/02  
8/17/07

Reviewed: 12/97, 5/2/02, 5/1/03, 8/13/07, 12/1/11, 4/7/16