

Red River United

Caddo Federation
of Teachers &
Support Personnel



Bossier Federation
of Teachers &
School Employees

Two Great School Districts! One Super Organization!

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Discipline for Students with Disabilities



Jackie Lansdale
RRU President

A child runs, out-of-control, down the busy school hallway and punches another child who is quietly waiting in line outside her classroom. She starts to cry while the disruptive child continues down the hall, not responding to the teacher aide's commands to stop. Another adult says, "He's special ed, there's nothing that we can do. You can't send him to detention. I'll tell his teacher." The aide is frustrated and upset as she comforts the crying child.

A child, who is labeled seriously emotionally disturbed, sets a trash can on fire. When brought to the principal's office the security specialist is told that it is a manifestation of the child's disability and the usual disciplinary procedures will not be followed. The security specialist leaves muttering, "Those kids get away with murder!"

*Both examples are serious, wrongful misunderstandings of the procedural safeguards of the Individuals with Disabilities Education Act. IDEA procedural safeguards were designed to assure that students with disabilities (receiving special education and related services) were not arbitrarily removed from their parent-approved program without consent and were guaranteed a free and appropriate public education (FAPE) within the least restrictive environment (LRE). ~ Kevin P. Dwyer (1997), *Disciplining Students with Disabilities**

By giving disabled students added protections, Congress is trying to strike a balance between maintaining safe schools and safeguarding the education of students with learning disabilities. There are strict procedures that must be followed before a school district can remove a special education student from school. The law also tries to ensure that a child is not disciplined for conduct related to a disability.

All students in the public school system are subject to discipline. Occasionally, assault or battery on a teacher or school employee by a student with disabilities occurs. In these situations, there are state and federal laws and regulations that must be followed. Don't be discouraged by this, just recognize that it becomes an IEP issue as well as a discipline matter. You still have the right to press criminal charges (unless the child has a disability that prevents him/her from understanding his/her actions (such as some forms of autism). Call Red River United for help at 318-424-4579.

The Individuals with Disabilities Education Act requires public schools to make available to all eligible children with disabilities a free appropriate public education in the least restrictive environment appropriate to their individual needs. IDEA requires public school systems to develop appropriate Individualized Education Programs (IEPs) for each child. The specific special education and related services outlined in each IEP reflect the individualized needs of each student. IDEA also mandates that particular procedures be followed in the development of the IEP. Each student's IEP must be developed by a team of knowledgeable persons and must be at least reviewed annually. The team includes the child's teacher; the parents, subject to certain limited exceptions; the child, if determined appropriate; an agency representative who is qualified to provide or supervise the provision of special education; and other individuals at the parents' or agency's discretion.

The first time that specific discipline procedures were included in the Individuals with Disabilities Education Act (IDEA) was in the amendments made to the law in 1997. Those discipline procedures addressed how public agencies could respond to behavioral infractions of children with disabilities. They were also rather complicated. Those procedures were revised in the 2004 Amendments to IDEA and the disciplinary processes were streamlined.

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Questions, comments, concerns, and/or ideas? Email us at [redriverunited@\[redriverunited.org\]](mailto:redriverunited@[redriverunited.org]). Still not a member? [Join now!](#)



DISCIPLINE OF STUDENTS WITH DISABILITIES

Additional Readings: Q&A on IEP's: Released in June 2010 by the U.S. Department of Education, [this publication](#) discusses IDEA 2004 and the provisions related to IEPs, evaluations and reevaluations.

Bossier Parish School Board Policy Manual
JD, Discipline
Discipline of Students with Disabilities

Discipline of students with disabilities shall be in accordance with applicable statutes of federal law and regulations.

Caddo Parish School Board Policy Manual
Policy JG
VII. Procedural Policies for Discipline Cases
Hearing by Principal

8. *Student with disabilities. The Individuals with Disabilities Education Act of 2004 (IDEA '04) clarifies the authority of school officials to take disciplinary action, including ordering a change in a student's placement to an appropriate interim alternative educational setting, another setting, or suspension. This section contains requirements regarding the discipline of students with disabilities. All behavior incidents involving students with disabilities must be addressed using only the requirements of IDEA '04. (See also Discipline Continuum Checklist contained in Caddo Parish Discipline Resource Manual for Teachers and Administrators). Read more . . .*

[Students with disabilities and the discipline process](#)—United Federation of Teachers

[IDEA 2004 Close Up: Disciplining Students with Disabilities. If your child has an IEP, you should understand the legal provisions for disciplining him at school.](#) By Candace Cortiella—The Advocacy Institute

[Center for Effective Collaboration and Practice: IEP Team's Introduction to Functional Behavioral Assessment and Behavior Intervention Plans](#)

[National Center for Learning Disabilities: IDEA Parent Guide](#)

You have a student in your class who persistently disrupts instruction. You send him to the office but the principal returns the child to your class. You have rights! [This brochure explains your right to demand that students are held accountable for disruptive behavior.](#) Rittenberg, Samuels, & Phillips, LLC, Attorneys at law explain the primary discipline law in a question-and-answer format.

Innovative Educators

Innovative ideas and programs are what turns information into learning. Meet our Innovative Educators – dedicated professionals who have found new ways to teach practical money skills in the classroom.



The recent economic climate inspired Lisa Rodriguez, the enrichment teacher at Bedford Road School in Pleasantville, NY, to introduce financial literacy classes to her students in grades 2 through 4. She says, "Hearing news of people buying homes they can't afford then having to foreclose and putting so much on their credit cards made me realize how many adults don't know how to take care of their finances. It is important to teach children about saving so we can create a society where people don't face financial problems and difficulties." [Read more . . .](#)

Nominate an Educator

Do you know someone who uses innovative methods to teach personal finance, and who deserves recognition?

[Submit a nomination](#)

Teacher Tip

Use Remind 101 to send text messages to your students and their parents.

For middle school: Have parents sign up for messages and let them communicate the messages to their child.

For high school: Students can sign up themselves, still involve the parents.

Remind 101 is a safe way for teachers to text message students and stay in touch with parents. Free. Students and parents will never see the teacher's number. The teacher will never see the students or parents numbers. Students and parents can also elect to receive the messages by email. Students and parents cannot answer to the messages. - Guy Delcominette, French/Broadcast Journalism, Youree Drive Middle School

Submit a Teacher Tip by filling out this [form](#). You can also contact the Red River United office at 318-424-4579 or email redriverunited@redriverunited.org. If we use your Teacher Tip online, we will pay you \$25.

Red River United After Hours/New Teacher Academy



After Hours: Every Tuesday, Wednesday, & Thursday
By Appointment
4 p.m.—5 p.m. or 5 p.m.—6 p.m.
One-to-One, Personalized Instruction

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New Teacher Academy

OPEN TO ALL TEACHERS, NEW AND VETERAN

New Teacher Academy: Second Saturdays of the Month, Group Seminar

Professional Development for ALL TEACHERS

Foundations of Effective Teaching * Strategies for Teacher Success

As a participant you will learn:

Classroom management

Establishing the learning environment

Managing student behavior

Interactive instructional strategies

Maximizing time on task

Strategies for students with severe behavior problems

Improve the academic performance of all students

AFT + Member Benefits

Insurance Benefits

Auto & Home Insurance, New Member only \$10,000 No-Cost Life Insurance, Disability Income, Term Life, Universal Life, Catastrophic Major Medical Plan, Long-Term Care, Workplace Violence Insurance and Pet Insurance and Veterinary Care

Legal and Financial Services

Legal Services, Credit and Budget Counseling, Credit Score, Credit Card, Mortgage, Save My Home Hotline, Retirement Planning Calculator

Health

Health Club Discounts, Combined Dental, Vision and Prescription Discounts, Dental Discounts, Life-line Screening, Limited Medical Plan, Vision Program and ConsumerReportsHealth.org

Travel and Entertainment

Entertainment Discounts, Hotel Discounts, Go Ahead Tours, Extra Holidays by Wyndham, Endless Vacation Rentals, Car Rental and Auto Club

Shopping

AFT Advantage – free online shopping program, Books, Magazines, AT&T Wireless Discount, ConsumerReports.org, Flowers, Dell Computers, Home Heating Oil, Moving Van Discounts, Budget Truck Rental

HOME BUYING + REFINANCING

Share your benefits with your family.

+ GET MORE FROM MEMBERSHIP

+ Mortgage

Competitive mortgage rates and special union-member protections are also available to your children and parents.

+ for more information about this and other savings:

aft.org/members



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AFT + is your advocate. For information on all AFT + programs, call 800-238-1133, ext. 8643, or e-mail aftplus@aft.org. The AFT has an expense reimbursement and/or endorsement arrangement for marketing this program. For more information, please contact AFT Financial Services at 800-238-1133, ext. 4493; send an e-mail to disclosureinfo@aft.org; or visit www.aft.org/benefits/disclosure.

Questions, comments, concerns, and/or ideas? Email us at redriverunitedf@redriverunited.org. Still not a member? [Join now!](#)