

Guidelines for Discipline/Suspension of Special Needs Students

School discipline for students with disabilities is different than for students who are not disabled. It is important to understand that a different disciplinary scheme for disabled students is important and must be put in place to avoid issues around Human Rights violations and discrimination.

It has been established that students with disabilities should not be suspended if the conduct for which they are being disciplined is based upon, or is a manifestation of their disability.

When a student's conduct is a manifestation of their disability, three things should happen:

1. Conduct a functional behavioural assessment and implement a behavioural intervention plan for the student (if this has not been done previously) using the students integrated care team.
2. Where a behaviour plan and/or safety plan – already exists, review, monitor and modify the plan as necessary to address the behaviour.
3. If the parents, school based team and school district staff agree collaboratively that a suspension or change of school placement is in the best interest of the student, this action will be part of the modification of the behaviour plan.

Unilateral disciplinary action, especially suspension, is not appropriate when the students' behaviour is a manifestation of their disability.

School personnel clearly must report criminal behaviours of students who have disabilities.

When reporting the criminal behaviour, the school district must remember to ensure that the student's disability is disclosed to the authorities.

Based on Information from:

Discipline of Students with Disabilities: Essential Points to Remember; CASE, 2012