

Attachment 4: Individual Discipline Records Review Checklist

Individual Discipline Records Review Checklist

The Purpose of Attachment 4 is to assist the team in compiling documentation of discipline records of individual students to determine compliance for each record reviewed.

Directions for Table 1: Complete Table 1 for each student who has accumulated greater than 10 days of OSS. Reproduce pages 3-5 for each student record reviewed.

Column 1 - Information to be reviewed for each student record.

Column 2 - Put “Y” (yes) in the column if the student’s record review shows evidence that the requirement has been met for this student.

Column 3 - Put “N” (no) in the column if the student’s record review lacks evidence that this requirement has been met.

Column 4 - Put “NA” (not applicable) in the column if the item is not applicable to this student. An item should be noted as NA if it clearly does not pertain to the individual student.

Example:

Documentation for the individual evaluation procedure that “materials and procedures used to assess a student with limited English proficiency are selected and administered to ensure they measure the extent to which the student has a disability and needs special education, rather than measure the student’s English language skills” (§200.4(b)(6)(xvi)) would be “NA” if the student does not fit into the category of limited English proficient.

Directions for Table 2: Complete Table 2 for each student who has accumulated greater than 10 days of ISS. **Note: If a student has accumulated greater than 10 days of OSS and greater than 10 days of ISS, please only complete Table 1 for that student.** Reproduce pages 3-5 for each student record reviewed.

Column 1 - Information to be reviewed for each student record

Column 2 - Put “Y” (yes) in the column if the student’s record review shows evidence that the requirement has been met for this student.

Column 3 - Put “N” (no) in the column if the student’s record review lacks evidence that this requirement has been met.

Column 4 - Put “NA” (not applicable) in the column if the item is not applicable to this student. An item should be noted as NA if it clearly does not pertain to the individual student.

Example:

Documentation for the individual evaluation procedure that “materials and procedures used to assess a student with limited English proficiency are selected and administered to ensure they measure the extent to which the student has a disability and needs special education, rather than measure the student’s English language skills” (§200.4(b)(6)(xvi)) would be “NA” if the student does not fit into the category of limited English proficient.

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Appropriate Number of Records

20 or fewer students removed greater than 10 days	Review all records
21-200 students removed greater than 10 days	Randomly select 20 students
200 students removed greater than 10 days	Randomly select 30 students

Note: If students were not removed greater than 10 days out-of-school but demonstrated an exorbitant number of removals for in-school, then this pattern of removals could constitute a “change in placement”.

Using the information from Table 1 **or** Table 2, complete Table 3 **or** Table 4 of the Discipline Records Review Summary Sheet. If you completed Table 1, then you should complete the OSS Summary Table by transferring your answers to the corresponding spaces on Table 3. If you completed Table 2, then you should complete the ISS Summary Table by transferring your answers to the corresponding spaces on Table 4.

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DISCIPLINE			
Table 1 - Out of School Suspensions (OSS) Records Review Checklist			
District: _____	Date: _____		
Student: _____	Birthdate: _____	Grade: _____	
Student's Disability Area(s): _____	School: _____		
Race/Ethnicity: _____	ISS Days Absent: _____	OSS Days Absent: _____	
Notes: 			

Table 1 - Out of School Suspensions (OSS) Records Review Checklist			
Student Record Information			
	Yes	No	NA
1. Did the parents and the child with a disability receive notice of the rules and regulations applicable to children with disabilities with respect to child management, discipline and suspension/expulsion upon the child's entry into a special education program or at the annual IEP review?			
2. Was the child removed from his/her current placement for greater than 10 days?			
3. Did the "removal" constitute a change of placement based upon the Discipline Rule?			
4. Did school personnel consider any unique circumstances on a case-by-case basis when determining whether the change in placement, consistent with the other requirements of this Rule, was appropriate for a child with a disability who violated a code of student conduct?			
5. Was there a manifestation of determination meeting (within 10 days) each time a decision was made to change placement of a child with a disability because of a violation of a code of student conduct?			

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Table 1 - Out of School Suspensions (OSS) Records Review Checklist			
Student Record Information			
	Yes	No	NA
6. Did the Local Educational Agency (LEA), the parent, and the relevant members of the child's IEP Team review all relevant information in the child's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:			
a. If the conduct in question was caused by, or had a direct and substantial relationship to, the Child's disability; or			
b. If the conduct in question was the direct result of the LEA's failure to implement the IEP.			
7. Was a manifestation meeting held?			
a. If the behavior was found to be a manifestation, did the school personnel conduct a functional behavioral assessment (FBA), unless the LEA had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child? <i>(If the behavior was found NOT to be a manifestation of the child's disability, please indicate NA.)</i>			
b. If the behavior was found to be a manifestation and a BIP was already developed, did the school personnel review the BIP, and modify it, as necessary, to address the behavior, return the child to the placement from which the child was removed (unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan)? <i>(If the behavior was found NOT to be a manifestation of the child's disability, please indicate NA.)</i>			
c. Did the team include and/or consider the use of positive behavioral interventions and supports to address the student's conduct?			
8. Did school personnel remove the child to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior was determined to be a manifestation of the child's disability? <i>(If yes, you must address a.)</i>			
a. Did the child perform one of the following violations:			
i. Carried a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of the State or the LEA;			
ii. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or to a school function under the jurisdiction of the State or the LEA; or			
iii. Has inflicted serious bodily injury upon another person while at school, on school premise.			
9. Did school personnel apply the relevant disciplinary procedures to the child with a disability in the same manner and for the same duration as the procedures would be applied to a child without disability?			
10. Was the parent notified on the date on which the decision was made to make a removal that constituted a change of placement of a child with a disability because of a violation of a code of child conduct?			

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Table 1 - Out of School Suspensions (OSS) Records Review Checklist Student Record Information	Yes	No	NA
11. Did the child continue to receive services during any subsequent days of removal beyond the 10-day mark?			
12. Did the parent participate on the IEP team?			
13. If appropriate, was transportation offered and/or provided for the child to an alternative setting?			
14. If the committee did NOT reach consensus about the manifestation determination, you must address a, b and c. <i>(If committee reached consensus about the manifestation determination, please indicate NA.)</i>			
a. Were the components of the appeal process followed?			
b. Did the LEA agree with decision?			
c. Did either party appeal the decision?			
15. If appropriate, was the parent informed about the FBA?			
a. Did the parent agree with the FBA?			
b. If not, did the parent request an Independent Educational Evaluation (IEE)?			
16. Did the parent revoke consent for special education and related services under §300.300(b)?			
17. In general, were compliant practices and procedures adhered to for the discipline of this child with a disability?			

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DISCIPLINE			
Table 2 - In School Suspensions (ISS) Records Review Checklist			
District: _____	Date: _____		
Student: _____	Birthdate: _____	Grade: _____	
Student's Disability Area(s): _____	School: _____		
Race/Ethnicity: _____	ISS Days Absent: _____	OSS Days Absent: _____	
Notes: 			

Table 2 - In School Suspensions (ISS) Records Review Checklist			Yes	No	NA
Student Record Information					
1.	Did the parents and the child with a disability receive notice of the rules and regulations applicable to children with disabilities with respect to child management, discipline and suspension/expulsion upon the child's entry into a special education program or at the annual IEP review?				
2.	Was the child removed from his/her current placement for greater than 10 days?				
3.	Did the "removal" constitute a change of placement based upon the Discipline Rule?				
4.	Did school personnel consider any unique circumstances on a case-by-case basis when determining whether the change in placement, consistent with the other requirements of this Rule, was appropriate for a child with a disability who violated a code of student conduct?				
5.	Did the school personnel conduct a functional behavioral assessment (FBA), and implement a behavioral intervention plan (BIP) for the child?				
6.	If appropriate, was the parent informed about the FBA?				
a.	Did the parent agree with the FBA?				

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Table 2 - In School Suspensions (ISS) Records Review Checklist			Yes	No	NA
Student Record Information					
b. If not, did the parent request an Independent Educational Evaluation (IEE)?					
7. If a BIP already had been developed, did the school personnel review the BIP, and modify it, as necessary, to address the behavior?					
8. Did the team include and/or consider the use of positive behavioral interventions and supports to address the student's conduct?					
9. Did school personnel apply the relevant disciplinary procedures to the child with a disability in the same manner and for the same duration as the procedures would be applied to a child without disability?					
10. Was the parent notified on the date on which the decision was made to make a removal that constituted a change of placement of a child with a disability because of a violation of a code of child conduct?					
11. Did the child continue to receive services during placement in ISS?					
12. Did the parent revoke consent for special education and related services under §300.300(b)?					
13. In general, were compliant practices and procedures adhered to for the discipline of this child with a disability?					

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<i>Table 3 - Individual Student Discipline Records Review Summary Sheet - OSS</i>																													
<i>Student Name</i>	<i>Discipline Items</i>																												
	1	2	3	4	5	6a	6b	7	7a	7b	7c	8	8a	9	10	11	12	13	14	14a	14b	14c	15	15a	15b	16	17		

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<i>Table 3 - Individual Student Discipline Records Review Summary Sheet - OSS</i>																												
<i>Student Name</i>	<i>Discipline Items</i>																											
	1	2	3	4	5	6a	6b	7	7a	7b	7c	8	8a	9	10	11	12	13	14	14a	14b	14c	15	15a	15b	16	17	

Attachment 4: Individual Discipline Records Review Checklist

Table 4 - Individual Student Discipline Records Review Summary Sheet - ISS															
Student Name	Discipline Items														
	1	2	3	4	5	6	6a	6b	7	8	9	10	11	12	13