



Student Name <i>First and Last</i>	School Level <i>Check one</i> <input type="checkbox"/> Elementary <input type="checkbox"/> Middle <input type="checkbox"/> High School	NOTE: When reviewing a record of a student who is an adult, substitute "adult student" for "parent" in all checklist items.
Student Date of Birth <i>Mo./Day/Yr.</i>	Reviewer's Name <i>First and Last</i>	*Examples for Evidence of Student-Level Corrective Action (last column), include called parent on [date], no new IEP team meeting, etc.

Discipline requirements may apply to different instances of removal for the same student. For example a student may be suspended for two days, constituting the 11th and 12th cumulative days of removal, and suspended again for three days, constituting the 13th, 14th, and 15th cumulative days of removal. Apply the standards and directions to each instance of removal to determine whether each discipline requirement has been met. Multiple instances of noncompliance for a particular item for a particular student are recorded as one "N". However each instance of noncompliance must be corrected according to the instructions.

**RECORD REVIEW CHECKLIST**

Item	Item Description	Standards & Directions	Required Student-Level Corrective Action	Evidence of Student-Level Corrective Action*
<b>DISC-1</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	After the tenth cumulative day of removal in the same school year, the student received educational services during subsequent periods of removal. Comments:	After a student has been removed for a violation of a code of student conduct for more than 10 cumulative school days in the same school year, during subsequent disciplinary removals the LEA must provide the student educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. Examine evidence, such as teacher notes, attendance logs, or teacher time records, to determine whether the student was provided educational services during each removal beyond the tenth cumulative day of removal in the school year.  Examples of disciplinary removals include, but are not limited to: <ul style="list-style-type: none"> <li>• Expulsions and other disciplinary changes of placement;</li> <li>• Removals to interim alternative educational settings for weapons or drug offenses or for inflicting serious bodily harm;</li> <li>• Out-of-school suspensions;</li> <li>• Certain in-school suspensions;</li> <li>• Certain bus suspensions; and</li> <li>• <i>De facto</i> suspensions.</li> </ul> Include in-school suspensions if: <ul style="list-style-type: none"> <li>• The student's IEP was not implemented; or</li> <li>• The student did not participate with nondisabled peers to the extent required by the IEP; or</li> <li>• The student did not have the opportunity to appropriately progress in the general curriculum</li> </ul>	The LEA must consider compensatory services by holding an IEP team meeting or with the agreement of the student's parent either: <ol style="list-style-type: none"> <li>(1) Develop a written document to amend or modify the student's current IEP to reflect the compensatory services (complete <a href="#">Form I-10-A</a>, <a href="#">Form I-10-B</a> and attach copy of IEP);</li> <li>(2) Discuss with the student's parent and document agreement that no compensatory services are necessary (see <a href="#">Sample Letter</a>).</li> </ol> The department will verify correction of student-level noncompliance.	

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DISC-1 contd.		<p>Include a bus suspension if the student's IEP includes transportation as a related service and the district did not provide for alternative transportation.</p> <p>Include a removal as a <i>de facto</i> suspension if the student is removed from school or class for not following school rules without following the procedures related to suspension. LEAs should have procedures to accurately track and count <i>de facto</i> suspensions. A student is considered removed during periods when: (1) the student's IEP was not implemented; (2) the student did not participate with nondisabled peers to the extent required by the IEP; or (3) the student did not have the opportunity to appropriately progress in the general curriculum.</p> <ul style="list-style-type: none"> <li>Partial day removals must be included when determining the number of days of removal for a student. For example, if a student was suspended for four hours, then it must be counted as a ½ day of removal.</li> </ul>		
DISC-2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <p>Within 10 school days of any decision to change the placement of a student with a disability because of a violation of school code, the LEA must conduct a manifestation determination.  Comments:</p>	<p>Within 10 school days of any <i>decision</i> to change the placement of a student with a disability because of a violation of school code, the LEA, the parent, and relevant members of the student's IEP team must conduct a manifestation determination.</p> <p>A disciplinary change in educational placement for a student with a disability occurs when a student is removed from his or her current educational placement for more than ten consecutive school days because of a violation of school code.</p> <p>A disciplinary change of placement also occurs if the student has been subjected to a series of removals that constitute a pattern because:</p> <ul style="list-style-type: none"> <li>the series of removals total more than ten school days in a school year;</li> <li>the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and</li> <li>of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.</li> </ul> <p>Whether the behavior in the incidents that resulted in the series of removals is "substantially similar" should be decided on a case-by-case basis and include consideration of any relevant information regarding the student's behaviors, including, where appropriate, any information in the student's IEP.</p> <p>Examine the student's <i>Manifestation Determination Review</i> (Form 1-12). Determine whether the manifestation determination was completed within ten school days of the date of the decision to change the student's placement.</p>	<p>The LEA must conduct a manifestation determination.</p> <p>Except where a student is disciplined for behavior involving weapons, drugs or serious bodily harm, if the behavior is determined to be a manifestation of the student's disability, the IEP team must return the student to the placement from which the student was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.</p> <p>If the behavior is determined not to be a manifestation of the student's disability, the LEA may remove the student to the same extent it would remove a student who does not have a disability.</p> <p>If the behavior is a manifestation of the student's disability and the student already has a behavioral intervention plan, the IEP team must meet to review the plan and modify the plan, if necessary, to address the student's behavior. If the student does not have a behavior intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student.</p>	

**RECORD REVIEW CHECKLIST**

Item	Item Description	Standards & Directions	Required Student-Level Corrective Action	Evidence of Student-Level Corrective Action*
<p><b>DISC-2 contd.</b></p>		<p>The date of the decision would be, for example,</p> <ul style="list-style-type: none"> <li>the date the LEA decides to proceed with expulsion,</li> <li>the date the LEA decides to change the student's placement because of a violation of school code, or</li> <li>the date the LEA determines the pattern of removals constitute a change in placement.</li> <li>Mark "NA" for this item if a disciplinary change in placement, as defined above, did not occur.</li> </ul>	<p>If the behavior is not a manifestation of the student's disability the student must receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. The department will verify correction of student-level noncompliance.</p>	
<p><b>DISC-3</b></p> <p><input type="checkbox"/> Yes  <input type="checkbox"/> No  <input type="checkbox"/> N/A</p>	<p>If the LEA determines the conduct was a manifestation of the student's disability, the LEA conducted a functional behavioral assessment and implemented a behavioral intervention plan (BIP), or if a BIP had previously been developed, reviewed, and modified the BIP as necessary.                      Comments:</p>	<p>Examine the student's <i>Manifestation Determination Review</i> (Form 1-12). If the LEA determined the conduct was a manifestation of the student's disability, look for evidence that the LEA conducted a functional behavioral assessment (FBA) and developed and implemented a behavioral intervention plan (BIP). If there is an existing BIP, look for evidence that the IEP team reviewed and modified the plan, as necessary, to address the student's behavior.</p> <p>Mark "NA" for this item if the LEA determined the conduct was <b>not</b> a manifestation of the student's disability.</p> <p>Mark "NA" for this item if a change in placement, as defined in item DISC-2, did not occur.</p>	<p>If the student already has a behavioral intervention plan, the IEP team must meet to review the plan. The IEP team must modify the plan, if necessary, to address the student's behavior. If the student does not have a behavioral intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student.</p>	
<p><b>DISC-4</b></p> <p><input type="checkbox"/> Yes  <input type="checkbox"/> No  <input type="checkbox"/> N/A</p>	<p>On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of school code, the LEA notified the parent and provided the parents a copy of the procedural safeguards notice.                      Comments:</p>	<p>A copy of the procedural safeguards notice must be given to parents only one time a school year, except that a copy must also be given to the parents:</p> <ul style="list-style-type: none"> <li>upon initial referral or parent request for evaluation,</li> <li>upon receipt of the first state IDEA complaint,</li> <li>upon receipt of the first due process complaint,</li> <li><i>on the date the LEA decides to make a disciplinary removal that constitutes a change of placement.</i></li> </ul> <p>Look for evidence the student's parents were notified and provided a copy of the procedural safeguards notice on the date the decision was made to change the student's placement for a violation of school code. The LEA should have a method of documenting when the procedural safeguards notice was sent.</p> <p>The date of the decision would be, for example,</p> <ul style="list-style-type: none"> <li>the date the LEA decides to proceed with expulsion,</li> <li>the date the LEA decides to change the student's placement because of a violation of school code, or</li> <li>the date the LEA determines the pattern of removals constitute a change in placement.</li> <li>Mark "NA" for this item if a disciplinary change in placement, as defined in item DISC-2, did not occur.</li> </ul>	<p>If not already provided, the LEA must notify the parents of the decision to make a removal that constitutes a disciplinary change of placement. If not already provided, the LEA must also provide the parents a copy of the procedural safeguards notice. Document that written notice was provided, including date and method. The department will verify correction of student-level noncompliance.</p>	