

## Discipline Chart 2

# IDEA Student: Violates Code of Conduct

IDEA 2004 and AAC 290-8-9-.09(2)

### Definition: Change of Placement

A removal for more than ten (10) consecutive school days, including partial school days of a half day or more is a change of placement.

A series of removals that constitute a pattern because the series of removals total more than ten (10) school days in a school year, because the child's behavior is substantially similar to the behavior in previous incidents of misconduct that resulted in removals, and because of such additional factors as:

- (1) The length of each removal,
- (2) The total amount of time the child has been removed, and
- (3) The proximity of the removals to one another.

The public agency ( a minimum of an administrator and the student's special education teacher) determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

The determination of whether a removal is not a change of placement, any decision regarding disciplinary placement, or manifestation determination is subject to review through due process and judicial proceedings.

When an LEA believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, the LEA may request an expedited due process hearing or obtain a temporary restraining order (TRO).