



Where Are We?

PL 105-17 - Language on Behavior and Discipline

- ▣ Section 300.346 - Development of the IEP.
- ▣ Section 300.520 - Change of Placement
 - Weapons & Drugs
 - Behavior Intervention Plan.
- ▣ Section 300.521 - Injury to Self or Others.
 - Expedited Hearing
- ▣ Section 300.522 - Interim Alternative Educational Setting (IAES).



Where Are We?

- ▣ Section 300.523 - Manifestation Determination Review.
 - ▲ Relationship between the child's disability and the behavior subject to the disciplinary action
- ▣ Section 300.529 - Referral to and Action by Law Enforcement.



How Did We Get Here?

- Fall, 1997 - Changes in IEP Requirements Based on the Reauthorization of IDEA
 - In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider, when appropriate, strategies, including positive behavioral intervention, and supports to address that behavior.



How Did We Get Here?

- Winter, 1996 - Reauthorization dies as Congress Adjourns. CCBD concerned about discipline and disruptive student language. Administrators receiving pressure to deal with both all students according to the same discipline code.
- racially discriminatory, suspension fails to modify student behavior.



How Did We Get Here?

- Fall, 1995 - IDEA Language Changes Outlined for Disciplining Students with Disabilities
 - Placement of students into interim alternative education settings for weapons, drugs, life threatening, or sexual assault.



How Did We Get Here? Another Viewpoint

- 1997: Gallup Organization and Phi Delta Kappan
 - Biggest problems in public schools -
 - lack of discipline,
 - use of drugs, and
 - fighting/violence/gangs.
- 1997: National Association of Elementary School Principals
 - 5 of 6 principals too much time dealing with disruptive, dangerous students.
 - 78% criticized federal law for discipline of disruptive or dangerous special education children.



➤ 1996: Public Agenda

- 81% of teachers said worst-behaved students absorb the most attention in schools.
- 88% of teachers & 73% of public said achievement would improve if troublemakers were removed from class.
- 84% of teachers & 76% of the public said "permanently removing kids caught with drugs or weapons".



➤ 1995: U.S. Department of Education

➤ Seniors at school

- Something stolen:
white, 41.6%; black, 46%
- Property damaged:
white, 25.8%; black, 26.3%
- Threatened with a weapon:
white, 13.8%; black, 23.5%
- Threatened without a weapon:
white, 23.8%; black, 22.3%



- 1994: National League of Cities,
 - 80% of respondents said violence was a serious problem in schools
 - 40% reported that violence in schools had increased over the past 5 years.
 - 30% of suburban and rural school districts had experienced significant increases in violence.



Current Practice

- WAC from OSPI States
- District Development of FBA Practices and Formats to meet WAC
- Professional Development and Practice in District
- Evaluation of Student Performance