What is the discipline process for a student with a disability on a Section 504 Plan?

- A student with a disability who is on a Section 504 Plan is subject to the same disciplinary action as a non-disabled student, provided that the student’s behavior is not a manifestation of his/her qualifying disability.
- A 504 Team must conduct a manifestation determination whenever a 504 student is subject to a suspension of ten (10) or more consecutive school days (because this constitutes a change in placement).
- A series of suspensions that cumulatively total ten (10) or more school days also triggers the manifestation determination requirement unless it is determined by the 504 Coordinator and Principal that there is not a pattern of exclusion and a change in placement has not occurred (key factors to consider include the length of each suspension, the proximity of one suspension to another, the nature of the behavior, and the total amount of time the student is excluded from school.)
- If the 504 team determines that the misbehavior is a manifestation of the student’s qualifying disability, the disciplinary process must end and the 504 team shall review the 504 plan to determine if modifications are appropriate.
- If the 504 team determines that the misbehavior is not a manifestation of the student’s qualifying disability, the disciplinary process proceeds.
- Special Note: Active possession, use, or sale of alcohol or drugs on campus or at a school-sponsored activity cancels 504 protections regarding discipline.

Visio Flowchart:

- Violation of the Student Code of Conduct
  - Is the student currently identified under Section 504?
    - Yes
      - Short-Term Suspension less than 10 days
        - Follow District short-term suspension procedures.
    - No: Follow District discipline procedures for non-disabled
  - Does the violation warrant a suspension from school?
    - Yes
      - Long-term Suspension/Expulsion (10 days or more)
        - Provide due process
        - Notify parents of short-term suspension
        - Request long term suspension/expulsion hearing
        - Hold a manifestation meeting within 10 days of the incident
        - If violation is not manifestation of disability…. Follow District long-term suspension/expulsion procedures.
        - If violation is manifestation of disability…… Complete short term suspension. No further disciplinary action.