

WARE COUNTY SCHOOL SYSTEM

Section 504 and Discipline

Students served under Section 504 and those served under IDEA are treated similarly with regard to discipline. All students are expected to abide by the Ware County School System's Code of Conduct, and all students, including students served under Section 504, may be disciplined. However, students with disabilities must have an equal opportunity to be successful with classroom rules and behavioral regulations. For some students, a Behavioral Intervention Plan may be needed.

1. Expulsion or suspensions of 10 or more days are considered a ***change of placement*** and require procedural requirements of Section 504, including notification of the parents to schedule a meeting for a Manifestation Determination and the provision of Parent Rights.
2. The Manifestation Meeting must be held before suspending or expelling a student under 504 for more than 10 days; a manifestation determination is not required for a suspension of less than 10 days (unless this results in a cumulative suspension of more than 10 days).
3. Suspensions of less than 10 days are permissible but cannot set a pattern (school officials should review appropriateness of the placement if cumulative time is more than 10 days)
4. Manifestation Determination Meeting
 - a. If the decision made in this meeting shows no relationship between the behavior and disability, then the student may be disciplined as any other student.
 - b. If the decision shows that there is a relationship between the behavior and disability, then the student may NOT be expelled or suspended; the school should consider the appropriateness of the current program and consider appropriate changes
5. FAPE
 - a. 504 students do not have to be provided with F APE during expulsion or suspension for behavior not related to the disability.
6. Drug/Alcohol abuse
 - a. Students currently engaged in drug or alcohol abuse are not protected under Section 504.