

DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION OF SERIOUS BODILY INJURY

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

The term serious bodily injury has the same meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Adopted: May 2, 2006

Legal Refs: 18 U.S.C. § 1365(h)(3).
20 U.S.C. § 1415(k)(1)(G)(iii).

Cross Refs: JFCD Weapons in School
JFCF Drugs in School
JGD/JGE Student Suspension/Expulsion
JGDA Disciplining Students with Disabilities