

DISCIPLINING OF STUDENTS WITH DISABILITIES

Colorado Springs School District 11 (the District) is subject to the following laws: Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act of 2008, and the Colorado Anti-Discrimination Act. Accordingly, the District is committed to prohibiting discrimination on the basis of disability, need for special education services (whether actual or perceived), race, creed, color, sex, marital status, sexual orientation, transgender status, gender identity, gender expression, national origin, religion, ancestry, age, genetic information, or protected activity, in admissions, access to, treatment, or employment in educational programs or activities which it operates.

The Colorado Springs School District 11 Board of Education (the Board) has adopted the District's Student Conduct, Attendance and Discipline Code (the "Code") for the purpose of, among other things, creating and maintaining safe schools and effective learning environments. As a general rule, the Code applies to all students, and students with disabilities may be disciplined in the same manner and for the same amount of time as typical students, where such discipline does not include removal from school. However, where a school or the District proposes disciplining a student with disabilities by removing the student from school, such removal may occur only as provided for by the Individuals with Disabilities Education Act ("IDEA"), the Exceptional Children's Educational Act ("ECEA") of Colorado, and/or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as appropriate.

The Board, therefore, directs the Administration to adopt procedures for the proper disciplinary removal of students with disabilities and directs that such procedures be consistent with the IDEA, ECEA, and Section 504, respectively, and the Code. Procedures for students with disabilities who qualify under the IDEA and ECEA shall be developed and maintained by the Special Education Department. Procedures for students with disabilities who qualify only under Section 504 shall be developed and maintained by the Office of Equal Opportunity Programs.

Such procedures shall be distributed to appropriate personnel and to each school in the District, and shall be made available to parents upon request.

Approved September, 1988
Revised November 1993
Revised December 1994
Revised June 1999
Revised December 2008
Revised June 27, 2012
Revised January 13, 2016

LEGAL REFS: Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*
 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, *et seq.*
 Exceptional Children's Educational Act of Colorado, C.R.S. § 22-20-101,
 et. seq.
 Rules (for the) Administration of the Exceptional Children's Educational
 Act, 1 C.R.R. 301-8

Americans with Disabilities Act, 42 U.S.C. §12101, et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
C.R.S. 2-4-4-1
C.R.S. 18-9-121
C.R.S. 22-32-109(1)(II)
C.R.S. 22-32-109.1(2)(a)(X)(B)
C.R.S. 22-32-110(1)(k)
C.R.S. 22-33-105(2)(c)
C.R.S. 24-34-301 through 24-34-308
C.R.S. 24-34-401 through 24-34-406
3 CCR 708-1

CROSS REFS: District 11 Special Education “Comprehensive Policies and Procedures Manual”
AC, Nondiscrimination/Equal Opportunity
AC-R, Employee Discrimination/Harassment Reporting and Investigation Procedures
ADD, Safe and Secure Schools
ADD-R-1, Regulation to Policy ADD, Safe and Secure Schools
ADD-R-2, Regulation to Policy ADD, Safe and Secure Schools
BA, School Board of Education Operational Objectives and Functions
EHC, Educational Technology Resources Policy
IHBAA, Response to Intervention
JB, Equal Educational Opportunities
JBB, Sexual and Racial Harassment/Discrimination toward Students
JBB-R, Regulation to Policy JBB, Sexual and Racial Harassment/Discrimination toward Students
JIC, Student Conduct, Attendance and Discipline Code
JICDA, Code of Conduct
JICDA-R, Regulation to Policy JICDA, Code of Conduct
JK, Student Discipline
JK-R, Regulation to Policy JK, Student Discipline
JKB, Detention of Students
JKBA, Formal Disciplinary Removals from Classrooms
JKBA-R, Regulation to Policy JKBA, Formal Disciplinary Removals from Classrooms
JKD-JKE, Student Suspension/Expulsion/Denial of Admission (Due process/ Administrative Processing Procedures)
JKD/JKE-R, Regulation to Policy JKD/JKE, Student Suspension/Expulsion/Denial of Admission
JKF, Educational Alternative for Expelled Students
JKF-R, Regulation to Policy JKF, Educational Alternative for Expelled Students
JKG, Expulsion Prevention Program