

SUBJECT: DISCIPLINE OF STUDENTS WITH DISABILITIES

Generally, should a student with a disability infringe upon the established rules of BOCES, disciplinary action shall be in accordance with procedures set forth in the Student Conduct and Discipline Code and in conjunction with applicable law and the determination of the Committee on Special Education. In the case of suspension of a student who has been identified as having a disability, determination has to be made regarding whether or not the suspension is related to the disability; as such, a referral must be made to the Committee on Special Education for a consideration for change of placement. BOCES must ensure that no student with a disability is suspended in excess of ten (10) cumulative days, unless otherwise permitted by law, without a referral to the Committee on Special Education.

Education Law Section 3214
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)

NOTE: Refer also to Policies [#6210 -- Student Conduct](#) and [#6212 -- Suspension of Students Attending BOCES Programs](#).

Adopted: 7/10/02