

§ 300.530 Authority of School Personnel
 Additional Removal Days Process – Manifestation Determination Review Process

§ 300.530 Authority of School Personnel Additional Removal Day Process (Beyond the 10 Free Days)	What is purpose/intended use of the process?	What is the role of the principal in the process?	Has the role of the Intervention Specialist changed?
(b) General. (1) For additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under § 300.536).	A process used by the school administrator to suspend (remove) a student with a disability for 10 additional days beyond the 10 “free days” in a school year.	The principal completes the 03a to determine if additional suspension (removal) days can be issued. If it is determined that additional removal days can be used, the school administrator completes the 03b to determine how educational services will be continued.	No.
§ 300.530 Authority of School Personnel Manifestation Determination Review	What is purpose/intended use of the process?	What is the role of the principal in the process?	Has the role of the Intervention Specialist changed?
(e) Manifestation Determination Review (1) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP Team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine: (i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or (ii) If the conduct in question was the direct result of the LEA's failure to implement the IEP.	A process used by relevant members of the IEP team to consider a change in placement for disciplinary reason.	Once the decision has been made to conduct a Manifestation Determination Review, the principal will notify their SPED Coordinator . NOTE: The SPED Coordinator must be present at all Manifestation Determination Reviews.	No.

§ 300.530 Authority of School Personnel – Case-by-Case Determination

(a) Case-by-case determination. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a child with a disability who violates a code of student conduct.

NOTE: Discipline, removals and a change in placement are the result of a case-by-case determination and not in response to predetermined factors or conditions.

NOTE: Contact your SPED Coordinator if you have questions.