

## **DISCIPLINARY ACTION FOR STUDENTS WITH DISABILITIES**

*Policy Code:*

**4307**

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Disciplinary actions for students identified with a disability according to North Carolina guidelines will conform to North Carolina Policies Governing Services for Children with Disabilities as adopted by the State Board of Education. If the policy manual does not fully address a particular issue, the director of exceptional children will develop any necessary protocols consistent with state and federal law.

All students with disabilities will be accorded all rights as required by state and federal law. See also board policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

Legal References: Americans With Disabilities Act, 42 U.S.C. 12131, 28 C.F.R. pt. 35, Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et. seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705 (20), 794, 34 C.F.R. pt. 104; G.S. 115C, art. 9; 115C-391; *Policies Governing Services for Children with Disabilities*, State Board Policy EXCP-000; *Policies and Procedures for Alternative Learning Programs and Schools, Grades K-12*, State Board of Education Policy ALTP-002

Cross References: Nondiscrimination on the Basis of Disabilities (board policy 1730/4022/7231), Special Education Programs/Rights of Students with Disabilities (policy 3520)

Adopted: April 9, 1998 to become effective July 1, 1998

Revised: March 12, 2015, September 14, 2017