



## 4.07 / Student Discipline

**Policy Owner(s):** Residential/Day School

**Effective Date:** June 25, 2023

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### 1. Policy Objective

The purpose of this policy is to outline student discipline in the Residential/Day School setting.

### 2. Scope

This policy applies to all Heartspring Residential/Day School employees.

### 3. Policy Statement

#### 3.1 Investigation Process

Any student who instigates acts of bullying, harassment, or displays any verbal or physical aggression or intimidation will be addressed in accordance with each student's Behavior Intervention Plan and managed by appropriate team members. The students served at Heartspring have a primary diagnosis of autism and/or another developmental disability, and an incident of this nature may not necessarily be intentional or malicious. Therefore, any potential disciplinary action will be addressed individually, according to each student's team and as they believe is appropriate for that student.

#### 3.2 Manifestation Determination

If the Chief Operating Officer or their designee, Director of Educational Services, and/or Director of Residential Services believe that a student's behavioral incidents rise beyond his or her disability, the Director of Educational Services will contact that student's school district representative. The school district representative will be responsible for deciding if a Manifestation Determination meeting will be called to discuss the incident(s) in greater detail and determine what if any, appropriate disciplinary measures (including suspension or expulsion) will be enacted.

##### 3.2.1 Suspension of a Student

If a Manifestation Determination meeting results in determining that a student is to be suspended from educational services, the Director of Educational Services will coordinate with the school district to decide upon a date for the student to serve his or her suspension. On the agreed-upon date(s), the student will remain in the group home setting, with at least two Heartspring staff members, for the entirety of the school day and will continue to receive

educational services, including the provision of related services as stated under the Individuals with Disabilities Education Act (IDEA Section 1412(a)(1)).

**3.2.2 Expulsion of a Student/Notice of Dismissal**

If a Manifestation Determination meeting results in determining that a student is to be expelled from school, the Division Director of Heartspring School will determine if Heartspring can continue to safely serve the student. If Heartspring decides that the student poses too great of a risk or danger to themselves or others, at least a 20-day Notice of Dismissal or an immediate dismissal shall be issued as outlined in the district contract.

**4. Policy Violations**

Any employee found to be in violation of this policy will face disciplinary action, up to and including termination.

**5. Definitions**

- Manifestation—The process of determining if the misbehavior was “caused by, or had a direct and substantial relationship to, the child's disability” or if the misbehavior was “the direct result of the Local Education Agency’s (LEA) failure to implement the IEP.”

**6. Forms or Related Policies**

- 3.02/Discrimination, Bullying, & Harassment

**7. Applicable Laws/Regulations**

- [California Education Code 56366.1\(i\)](#)
- [California Education Code 56366.10\(d\)](#)
- [IDEA Section 1412\(a\)\(1\)](#)

**REVISION RECORD**

DATE	VERSION	REVISION DESCRIPTION