

# SAU 24

## SUMMARY OF SECTION 504 DISCIPLINE PROCEDURES

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1. School staff may suspend 504-eligible students for up to 10 consecutive school days in the same manner as non-disabled students are suspended.
2. There is no obligation under Section 504 to provide services when a student's total removals exceed 10 cumulative days in a school year, unless ordered by the 504 Team.
3. A removal that is a "change of placement" triggers additional duties. A removal is a "change of placement" if:
  - The removal is for more than 10 consecutive days; or
  - There is a series of removals that constitutes a pattern because:
    - The removals total more than 10 school days in school year;
    - The behavior is "substantially similar" to the behavior in previous incidents; and
    - The effect of additional factors such as the length of each removal, their proximity in time and the total length of the removals.
4. If a removal is a "change of placement":
  - The 504 Team must meet within 10 school days.
  - The Team must conduct a manifestation determination:
    - If the behavior is a manifestation of the student's disability, the district must return the student to his or her last placement unless the 504 Team decides on a different program and placement in response to the misbehavior, including further removal.
    - If it is not a manifestation, the district may use regular school discipline, with no need to provide services.
5. Manifestation Determination Standard
  - Was the conduct in question caused by, or did it have a direct and substantial relationship to, the student's disability? or
  - Was the conduct in question the direct result of the district's failure to implement the student's 504 Plan?
6. Drug and Alcohol Offenses
  - If a 504 student whom the school determines is currently using illegal drugs or alcohol violates a school code of conduct, policy or rule related to the use or possession of alcohol or drugs, the district may discipline that student to the same extent it would a non-disabled student. The 504 Team is not required to meet or conduct a Manifestation Determination.