

School Discipline and Disability: What Parents Need to Know

(Bison Bridge Behavioral Insights Parent Resource — K–12 Edition)

Why This Matters

Students with disabilities have legal protections when it comes to school discipline. If your child has an IEP or 504 Plan and is being suspended or removed from school due to behavior, there are steps the school must follow.

This guide helps families understand their rights and how to respond when behavior leads to discipline.

The Basics

- All students are expected to follow school rules
 - However, for students with disabilities, behavior may be connected to their disability or unmet support needs
 - Schools must look at behavior **through a support lens**, not just as a reason for punishment
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Suspensions and the 10-Day Rule

If a student with an IEP or 504 Plan is:

- Suspended for **more than 10 school days in a row**, or
- Suspended **more than 10 total days in a school year** for similar behaviors

Then the school must hold a **Manifestation Determination Review (MDR)** meeting.

What is a Manifestation Determination Review?

This is a required meeting where the IEP or 504 team (including the parent) must answer two questions:

1. Was the behavior caused by, or did it have a direct relationship to, the student's disability?
2. Did the behavior happen because the IEP or 504 Plan was not being followed?

If the answer to **either** question is yes:

- The student **cannot be suspended long-term or expelled** for that behavior
 - The team must review and revise the IEP or 504 Plan, including Behavior Intervention Plans if needed
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If the Behavior is Not a Manifestation

If the team determines the behavior is **not related** to the disability:

- The school can discipline the student the same way as any other student
 - However, the student must still **receive educational services** during the removal
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Additional Protections

- For removals over 10 days, a **Functional Behavior Assessment (FBA)** should be conducted (or reviewed)
 - A **Behavior Intervention Plan (BIP)** should be created or updated
 - Parents must be notified and included in all decisions
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Kansas Guidelines

Kansas follows IDEA rules and requires that schools:

- Track suspension days for students with disabilities
 - Use documentation and interventions before long-term removal
 - Provide access to a free appropriate public education (FAPE) even during suspension
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What Parents Say

- “I didn’t know we had a right to a meeting — they just kept suspending him.”
 - “Once the school realized it was tied to his disability, the whole approach changed.”
 - “We worked together to create a plan that actually helped him succeed.”
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Parent Reflection Space

- Have suspensions been related to behavior in the IEP?
 - Was I notified of my child’s rights and involved in meetings?
 - Do I need to request a Manifestation Determination Review?
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Important Reminder

You have the right to be part of every decision when discipline involves your child’s disability. Schools must follow specific rules to protect your child’s access to education and services.

To learn more, visit www.ksde.org or ask your school team for a copy of your Procedural Safeguards.