

<b>Purpose: Behavior Documentation</b>	
<b>Date:</b> September 11, 2025	<b>Participants:</b> Bronston

## General Check In:

## Agenda Items / Notes

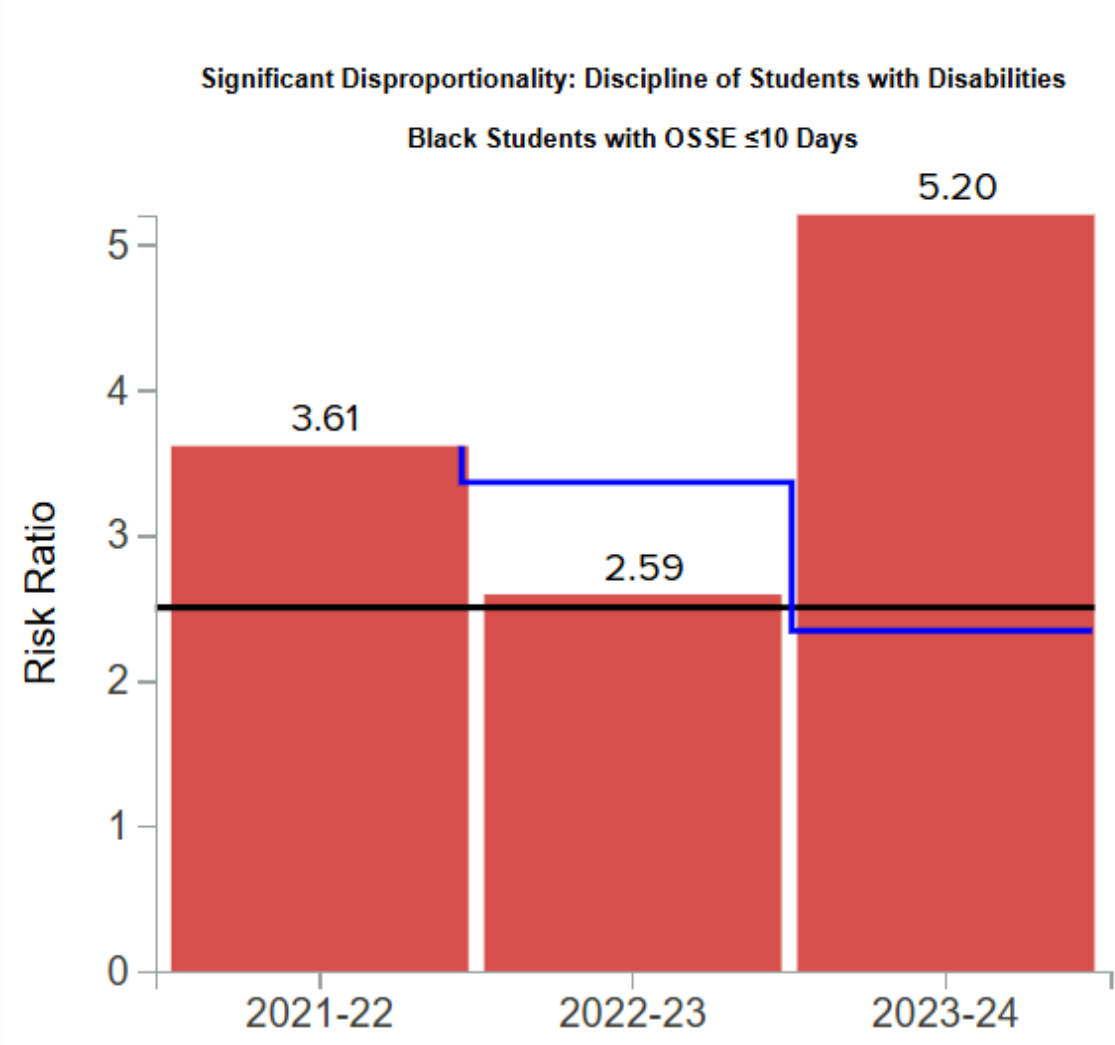
### Misconceptions:

- 1. Students with disabilities can't be suspended-** They can be suspended, but there are specific protections and procedures that must be followed under IDEA and Section 504.
- 2. Students with disabilities must be treated completely differently when it comes to discipline-** General discipline rules apply, but students with disabilities have additional protections (like manifestation determinations) to ensure fairness and legal compliance.
- 3. Schools can't suspend a student with a disability more than 10 days in a school year-** Schools can suspend beyond 10 cumulative days, but once the 10-day threshold is crossed, schools must determine if the disciplinary change constitutes a change of placement and hold a Manifestation Determination Review (MDR).
- 4. If the student behavior is disability related, the school can't apply any disciplinary consequences-** Certain consequences can still be applied, but if the behavior is a manifestation of the disability, alternative supports, services, or placement options must be considered instead of continuing suspensions.
- 5. A Manifestation Determination Review (MDR) has to be held for every suspension-** An MDR is only required when suspensions exceed 10 consecutive school days, or a series of suspensions creates a pattern that amounts to a change in placement.
- 6. Suspensions automatically remove the school's responsibility to provide services-** After 10 days of suspension, schools are still required to provide services that allow the student to progress in the general curriculum and toward IEP goals.
  - In Ohio, students who are placed at home will receive a minimum of 1 hour per day of services, as 1 hour per day constitutes 1 school day.
  - Students with disabilities are required to have all of their specially designed instruction as well as general education instruction.
- 7. Students with 504 Plans don't have the same disciplinary protections as students with IEPs-** Students with 504 Plans are also entitled to a manifestation determination if there is a disciplinary change in placement.
- 8. Schools can't do anything if a student with a disability is unsafe or highly disruptive-** Schools can use safety measures, including Interim Alternative Educational Setting (IAES) for special circumstances like drugs, weapons, serious bodily injury, while still ensuring the student receives FAPE and appropriate support.

2024 - 2025 Ohio Special Education Profile- Based on 2023 - 2024 Data

Due to the size of the student population, the alternative risk ratio compares the risk for the racial group within the district to the risk for students of all other races in the state.

Out-of-school suspensions and expulsions of 10 cumulative days or fewer- Not Met



Data Notes:

- This category measures significant disproportionality for Black students with disabilities in out-of-school suspensions and expulsions of 10 cumulative days or fewer.
- The calculation includes only students with disabilities, ages 3-21.
- Student discipline events are reported in the Student Discipline (GD) record for the current school year.
- Discipline events for each student count with the district that administered the discipline (i.e., the district educating and providing special education services to the student).
- Total discipline days for each discipline event are reported in full-time equivalency (FTE).
- The risk ratio is calculated by dividing the risk for Black students with disabilities with out-of-school suspensions and expulsions of 10 cumulative days or fewer by the risk for students with disabilities of all other races with out-of-school suspensions and expulsions of 10 cumulative days or fewer.
  - Risk for racial group = total FTE of Black students with disabilities with out-of-school suspensions and expulsions of 10 cumulative days or fewer divided by the total FTE of Black students with disabilities enrolled in the district times 100.
  - Risk for the comparison group = total FTE of all non-Black students with disabilities with out-of-school suspensions and expulsions of 10 cumulative days or fewer divided by the total FTE of all non-Black students with disabilities enrolled in the district times 100.
  - Risk ratio = risk for racial group divided by risk for comparison group.
- The result of the risk calculation is shortened in the data table for display purposes only (rows C and F). These figures are not rounded before calculating the risk ratio. The only figure in the calculation that is rounded is the resulting risk ratio (row G).
- Beginning with the 2023-2024 Special Education Profile, disproportionality data have been updated to ensure the full-time equivalency (FTE) for preschool students is not duplicated. This update reflects the FTE enrollment adjustment for all three years considered in the calculation. As such, data for the 2020-2021 and 2021-2022 school years in the 2023-2024 Special Education Profile may not exactly match the same years' data reported in previous profiles.
- Your district does not meet the minimum cell or n-size for the comparison group. An alternate risk ratio was calculated.
  - The alternate risk ratio compares the risk for the racial group within the district to the risk for students of all other races in the state.
  - The alternate risk ratio uses the district-level risk for the racial group in the numerator and the state-level risk for the comparison group in the denominator.
- Your district has had a risk ratio greater than 2.50 for three consecutive years and has been identified with significant disproportionality.
  - In order to meet the criteria for reasonable progress, the risk ratio must decrease by at least 0.25 for two consecutive years.
    - This means that:
      - The risk ratio for the second year must be at least 0.25 less than the first year; **and**
      - The risk ratio for the third year must be at least 0.25 lower than the second year.
  - If the risk ratio decreases by 0.25 for two consecutive years, your district will no longer be required to redirect 15 percent of funds to Comprehensive Coordinated Early Intervening Services.

Alternate Risk Ratio

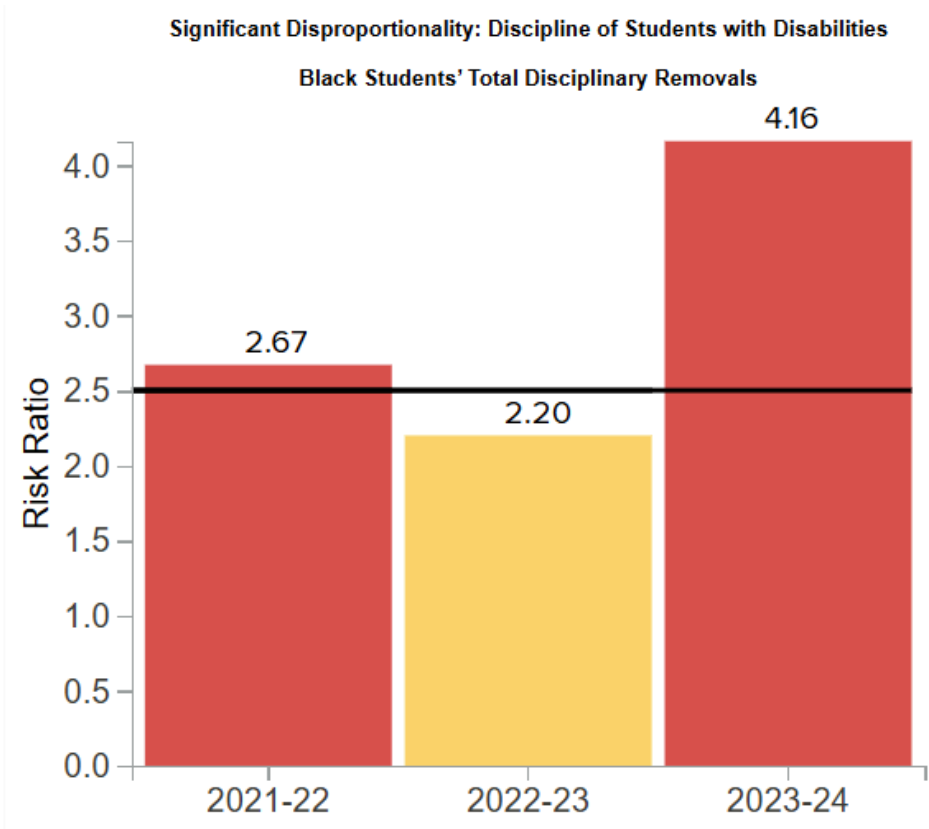

State enrollment of **non-Black** students with disabilities with 10 or fewer cumulative days out-of-school suspensions and expulsions

State enrollment of **non-Black** students

State Risk for **non-Black** students with disabilities with 10 or fewer cumulative days out-of-school suspensions and expulsions

Risk ratio for **Black** students

# Total Disciplinary Removals- Met At Risk Year 1



- Data Notes:
- This category measures significant disproportionality for Black students with disabilities in total disciplinary removals.
  - The calculation includes only students with disabilities, ages 3-21.
  - Student discipline events are reported in the Student Discipline (GD) record for the current school year.
  - Discipline events for each student count with the district that administered the discipline (i.e., the district educating and providing special education services to the student).
  - Total discipline days for each discipline event are reported in full-time equivalency (FTE).
  - The risk ratio is calculated by dividing the risk for Black students with disabilities with total disciplinary removals by the risk for students with disabilities of all other races with total disciplinary removals.
    - Risk for racial group = total FTE of Black students with disabilities with total disciplinary removals divided by the total FTE of Black students with disabilities enrolled in the district times 100.
    - Risk for the comparison group = total FTE of all non-Black students with disabilities with total disciplinary removals divided by the total FTE of all non-Black students with disabilities enrolled in the district times 100.
    - Risk ratio = risk for racial group divided by risk for comparison group.
  - The result of the risk calculation is shortened in the data table for display purposes only (rows C and F). These figures are not rounded before calculating the risk ratio. The only figure in the calculation that is rounded is the resulting risk ratio (row G).
  - Beginning with the 2023-2024 Special Education Profile, disproportionality data have been updated to ensure the full-time equivalency (FTE) for preschool students is not duplicated. This update reflects the FTE enrollment adjustment for all three years considered in the calculation. As such, data for the 2020-2021 and 2021-2022 school years in the 2023-2024 Special Education Profile may not exactly match the same years' data reported in previous profiles.
  - Your district does not meet the minimum cell or n-size for the comparison group. An alternate risk ratio was calculated.
    - The alternate risk ratio compares the risk for the racial group within the district to the risk for students of all other races in the state.
    - The alternate risk ratio uses the district-level risk for the racial group in the numerator and the state-level risk for the comparison group in the denominator.

## **Steps When Considering Suspension of a Student with a Disability**

School leaders are not only there to enforce discipline, but to balance safety, fairness, and compliance. Our goal is to hold students accountable while ensuring their disability rights and access to education are protected.

- 1. Investigate the Incident-** Follow established investigation guidelines outlined at Orion.
  - a. Ensure that facts were gathered objective regarding who was involved, what happened and any additional pieces of context such as triggers, antecedents, and setting.
  - b. Make sure the behavior is clearly defined by avoiding vague terms like “defiant” or “disruptive”. In the event a MDR is required, we need a full understanding of what took place.
  - c. Could this have been avoided, if so, how?
- 2. Check the Student’s IEP / 504 plan.**
  - a. Was the IEP / 504 plan being followed?
  - b. Did we do its part in providing the services and supports before discipline?
- 3. Consider Alternatives to Suspension.**
  - a. Can this be addressed with restorative practices?
  - b. How can we use additional supports / check ins / reteaching expectations?
  - c. Is there an in-school option?
- 4. Check Suspension History**
  - a. How many days has the student already been suspended?
  - b. Does the IEP team need to come together to review the current plan and make adjustments before another behavior incident?
  - c. Are we seeing a pattern of behavior to where supports need to be adjusted?
  - d. Ensure Nardini is aware of students who are approaching 10 days OR if a suspension is more than 5 days for a singular incident.
- 5. Document Everything**
  - a. Keep a clear paper train: incident reports, IEP / 504 review notes, communications with parents, teachers, etc. This documentation is critical in case of due process complaints or state monitoring.

Task	Owner	Looks Like/Sounds Like
<b>SE Discipline- Suspension/Expulsion Documents</b>  <b><u>Ohio Procedural Safeguards</u></b>	Orion Team 1	<p>Any student with an IEP/504 who is suspended must be provided with a copy of Ohio Procedural Safeguards. Document this directly in myNHA by selecting “yes” when asked if procedural safeguards have been provided.</p> <p>Wing Dean and Principal will communicate and consult with Nardini should a SE or 504 student require:</p> <ul style="list-style-type: none"> <li>- An out of school suspension of 5 days or more.</li> <li>- Reach 11 or more days of out of school suspension</li> </ul> <p>Best Practice- Upload all documents as a PDF into PowerSchool. Nardini can assist with this.</p>



Orion Academy

## Special Education Suspension / Expulsion Report

Academic Year: 2025 - 2026  
Date printed: 8/31/2025

This report provides a list of all Special Education students enrolled at any point during the 2025 academic year at Orion Academy, who, as of 8/31/2025, have been suspended or expelled for behavior problems. Also included is information about each behavior incident which resulted in an In-school suspension (**ISS**), Out-of-school suspension (**OSS**), Removal from school as part of PBIP (**RS**), or Expulsion (**Expul**). \*Transferred students: Please use discipline from prior school placement(s) to address special education disciplinary compliance requirements (Pattern of Removal, day 11 services, etc.)

Grade Level	Student (Current Enrollment Status)	Total ISS	Total OSS + RS	Total Days Suspended	Total Expul	Total ISS, OSS, RS and Expul	Primary Disability	IEP Date
<b>Orion Academy</b>		<b>0</b>	<b>1</b>	<b>10.0</b>	<b>0</b>	<b>1</b>		
7	LaDayvone McCurdy (Enrolled)	0	1	10.0	0	1	Other Health Handicapped- Minor	12/18/2024
<u>Incident Date</u>		<u>Behavior Problem</u>		<u>Action</u>	<u>Start Date</u>	<u>Duration (Days)</u>	<u>Safeguards</u>	
8/27/2025		Fighting, Physical Altercation		OSS	8/28/2025	10.0	Yes (8/27/2025)	

	Level 5 Discipline Documentation	Level 6 Discipline Documentation
<b>Suspension Report</b>	Behavior Incident must be entered in myNHA as a Level 5 event and out-of-school suspension must be selected for Action Taken. The date entered for the 1st day of OSS does not always need to be the same date as the infraction.	Behavior incident must be entered in myNHA as a Level 5 (pending Level 6) event and out-of-school suspension must be selected for Action Taken.  In the event a student is up for expulsion, a response team call must be set up, if DSQ has approved the Level 6.
<b>Parent / Guardian Notice</b>	Notice of Intended Suspension from School (student does not need an immediate removal, investigation determines that the student will be suspended)  OR  Notice of Emergency Removal and Intent to Suspend from School (student needs to be removed immediately but the school requires time to complete investigation).	Notice of Intended Expulsion from School (student does not need an immediate removal)  OR  Notice of Emergency Removal and Intent to Expel from School (student needs to be removed immediately but the school requires time to complete investigation).
<b>Notice of Decision</b>	Notice of Suspension From School  AND  Notice of Rights Regarding Suspension	Notice of Expulsion From School  AND  Notice of Rights Regarding Expulsion (20 Days or Less)  OR  Notice of Rights Regarding Expulsion (21 Days or More)  AND  Notice of Assistance Programs Regarding Expulsion (21 Days or More)

**Definition of “Removal”**- Under the Individuals with Disabilities Education Act (IDEA), removal refers to any situation where a student with a disability is excluded from their current educational placement, whether it’s a full-day suspension, and in-school suspensions, or placement in an alternative setting. It can also involve a series of short-term removals that, when combined constitute a change in placement. Sending a student to a buddy room can also be considered a removal:

- Example, if a 5th grade student is sent to a 3rd grade classroom for the day, they have been removed from accessing the 5th grade curriculum alongside their 5th grade peers.

If a student is removed from his or her current educational placement for violating educational agency rules for fewer than 10 consecutive school days, the educational agency does not have to provide the student special education services during that time. If a student is removed from school for more than 10 consecutive school days, the school must continue to provide the student with special educational services, even if it is in another educational setting (for example, another classroom, building, or at the student's home).

If the educational agency removes a student from their current placement for more than 10 consecutive school days in the same school year, it is considered a change of the student's educational placement.

If the educational agency has removed a student from their current educational placement on separate occasions (a series of removals) that add up to more than 10 days in a school year, the school must determine if those removals constitute a change of the student's educational placement.

On day 11 of any type of removal, a Manifestation Determination must take place within 10 school days of any decision to enhance the educational placement.

Task	Owner	Looks Like/Sounds Like
<b>Manifestation Determination /</b> <a href="#"><u>Plan for FAPE</u></a>	Orion Team 1 & Nardini	<p>Wing Dean and Principal will communicate with Nardini should a student be suspended beyond 10 days.</p> <p>Nardini will own setting up the meeting and completing the MDR paperwork, as well as facilitating the meeting.</p> <p>Wing Dean and Principal will be responsible for planning and executing FAPE starting day 11 of removal.</p>

#### Action Steps:

Task	Individual Responsible	Due Date