



## TIP SHEET FOR PARENTS

### *SCHOOL DISCIPLINE & STUDENTS WITH DISABILITIES/SPECIAL NEEDS*

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Research has consistently shown that minority students and students who receive special education services are disproportionately referred to in-and out-of-school suspensions, expulsions, and Alternative Education Programs compared to their percentages in overall school populations. This tip sheet explains what to do if your child receives special education or other educational services and engages in behavior that results in school disciplinary action.

**Tip 1: If your child is acting out at school, your child may have behavior or learning challenges.** Request a special education assessment or an evaluation for special education services if you feel that your child's behavior is related to a disability or special need that should be addressed by the school. **Make that request in writing.** Your child may need special behavior or learning supports. **The school can help.**

**Tip 2: Make sure the school follows regulations required by federal law under the Individuals with Disabilities Education Act (IDEA).** If your child is receiving special education services, the school **must** use your child's Individualized Education Plan (IEP) to address behavioral problems and discipline in a way that will not harm your child. The school **should not** alter the IEP to place your child in an Alternative Education Program.

**Tip 3: If your child gets in trouble for behavior issues, the first course of action is to establish or modify and Individualized Education Plan (IEP).** You may have to consult with an outside specialist to determine whether a disability or other condition may be impacting your child's behavior. If your child is identified as a Student with Disabilities (SWD), and you are not happy with the school's provision of your child's services or the school is not providing needed services, talk to your district or state special education leaders.

**Tip 4: The school should try to correct the student's behavior by providing supports the child needs.** Research has shown that punishment is not likely to change behavior, especially if the child needs services. Providing needed supports creates better student outcomes. Supports can look like: Student Support Team, Behavior Intervention Plans, Functional Behavior Assessments, Section 504 Plans for children with disabilities, Special Education and Individualized Education (IEPs) for health or emotional challenges, learning disabilities, language or communication impairments or health issues.

**Tip 6: Your child does not have to be in special education to access services such as an assessment or a Behavior Intervention Plan.** If your child is getting in trouble often, tell the school you want a Functional Behavioral Assessment done by a professional who is trained to do it and a behavior intervention plan. **All requests should be in writing. Keep a copy of everything.**

**Tip 7: A school must create a plan to help children with learning disabilities.** The IEP Plan or Individual Education Plan provides services that will help your child learn better at school. You start the process by asking for a **free educational evaluation.** If your child has a learning disability, the IEP tells everyone what services are being provided and instructions on how to help your child learn. If the school says your child does not need an IEP, ask for a Section 504 Plan and a student support team.

**Tip 8: Make sure the IEP or behavior intervention plan spells out clearly how to address your child's behavioral and emotional manifestations.** Be prepared to fight if the school is insisting on long-term suspension or expulsion. The law is on your side.

**Tip 9: For assistance with school suspensions and expulsion matters contact:** Georgia Legal Services (404) 206-5175; Parent to Parent of Georgia (770) 458-4091; NAACP (404)577-8977; AVLf (404) 521-521-0790; Gwinnett SToPP <https://www.gwinnettstopp.org/about-us/contact-us/>; Georgia Coalition for Equity in Education [leslie@lipsonadvocacy.com](mailto:leslie@lipsonadvocacy.com); or the GA Appleseed toolkit. <https://gaappleseed.org/initiatives/toolkit>