

BOSTON PUBLIC SCHOOLS



Code of Conduct
Attachment 3.16

Notification of Proposed Suspension for More than Ten Cumulative Days in School Year: Student with Disabilities

School: _____
Date: _____
D.P. #: _____
Re: <Student Name>

<Parent Name>
<Parent Address>

Dear <Parent Name>,

As you know, the Boston Public Schools have decided to suspend your child from school beginning _____ through _____ because of an incident which took place on _____. This misconduct is in violation of the school rule pertaining to _____, which is described on page _____ of the Boston Public Schools Policy Handbook for Parents & Students, and/or Section _____ of the Boston Public Schools Code of Conduct.

As a general rule, a student with disabilities may not be suspended for more than 10 cumulative days in a school year if a special education Team determines that the student's misconduct is related to the student's disabilities, is a result of an inappropriate program or placement, or is the result of the school's failure to implement the student's IEP.

On _____, the school district convened a special Team meeting to which you were invited, for the purpose of reviewing _____'s misconduct in light of his/her disabilities and special education program and placement. The Team concluded that your child's misconduct was not related to his or her disabilities, was not the result of an inappropriate program and placement, and was not the result of an IEP that was not properly implemented. Therefore, under special education laws and regulations, your child may be suspended for more than 10 cumulative days in the school year. The Team's conclusions were based on the following considerations: _____

When the Team met to consider your child's misconduct, they also decided that provision of special education services through the enclosed Alternative Plan is appropriate based on the following: _____

You have several rights as a parent whenever decisions are made that affect the provision of special education services to your child. The enclosed brochure explains your procedural rights. Please read it very carefully. You have the right to accept or reject the Alternative Plan, as well as the decision made by the Team regarding the school district's right to suspend your child with special needs.

If you accept the Alternative Plan, please sign where indicated and return one copy of the Alternative Plan to _____ . We will then begin to provide services to _____ (student) as described in the Alternative Plan.

If you reject the Alternative Plan and/or the decision made by the Team regarding the School Committee's right to suspend your child, you have the right to request mediation or a due process hearing by contacting the Bureau of Special Education Appeals of the Department of Education. Mediation and due process hearing are described in Part VI of the enclosed Parents' Rights brochure. The telephone number of the Bureau is also in the brochure.

If you request a due process hearing, your child will continue attending his or her current special education program at the _____ School pending the hearing and any appeal, unless you and the school district agree on a different program or the school district obtains a court order removing you child from school based on proof that continued attendance in school is substantially likely to result in injury of him/her or others.

Your failure or refusal to consent to the alternative plan, except where you have requested a due process hearing, will not prevent the suspension or the implementation of the Alternative Plan.

It is very important that you respond as soon as possible so that services may be provided to your child. If you have any questions, please feel free to call _____ at 617- _____ .

Sincerely,

Special Education Administrator or
Team Chairperson

Enclosures: Two (2) copies of Alternative Plan
Parent's Rights Brochure

cc: Student if age 14 or older