**Resource**

# Discipline Interview Form

**Michigan Department of Education Office of Special Education**

**March 2024**

District: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Interviewee: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Role: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Interviewer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTE: Questions with an asterisk (\*) are intended primarily for the special education director. Use judgment in asking these questions to other district personnel.

Introduction: As you know, (*name of member district*) has been identified with significant discrepancy in the rates of suspension and expulsion of (*race/ethnicity*) students with an individualized education program (IEP). The purpose of this interview is to investigate the district’s compliance with IDEA regarding the policies, procedures, and practices related to discipline and identify factors which may be contributing to the discrepancy.

## General

1. Please tell us about your school/district.
2. How are you involved in the discipline process?
3. If you are not directly involved in the disciplinary process, how are you informed when students with an IEP are involved in disciplinary actions?
4. \*What professional development or guidance related to suspension/expulsion and suspension/expulsion of students from racial/ethnic groups has the district done?
5. Do the special education staff and general education staff ever meet to discuss disciplinary actions involving students with an IEP?

## Policy

1. \*Rigid discipline policies and procedures (i.e., zero tolerance) may inadvertently increase the number of disciplinary actions. How might this be contributing to your district’s discrepancy?
2. \*How have mandatory expulsions impacted your district’s discrepancy in the rate of suspension/expulsion of students from racial/ethnic groups? (34 CFR §300.530 (g))
3. \*Do any of your district’s union contracts address student discipline? How?
4. Pre-Referral and Referral Processes
5. What types of behavior support systems are available to students with an IEP who are experiencing behavioral problems?
6. \*What happens when a general education student is referred for disciplinary action?
7. \*What happens when a student with an IEP is referred for disciplinary action?
8. \*Research indicates that there are more office referrals for students from certain racial/ethnic groups than others even with similar behaviors. What patterns have you found with regards to referrals and suspensions/expulsions of students with an IEP by race/ethnicity?

## Suspensions/Expulsions Discipline Procedures Questions

1. \*Does the district provide educational services to students without an IEP suspended from school for 10 school days or less? (34 CFR §300.530(b))
2. Does the district provide educational (FAPE) services to students with an IEP suspended from school for 10 school days or less? (34 CFR §300.530(d)(3))
3. What are the district discipline procedures for students with an IEP who are suspended beyond ten school days within the school year?
4. \*Who determines what FAPE services are provided for students with an IEP suspended for more than 10 days? (34 CFR §300.530 (2)(d)(i)(ii))
5. What services are typically provided?
6. How are the services documented?
7. Are any of these procedures in writing?
8. \*Does your building (or district) operate an in-school suspension program?
9. \*Are records of students in your in-school suspension maintained by race/ethnicity and IEP status?
10. \*What are the credentials of the staff for the in-school suspension program?
11. \*If the staff member is a certified teacher, how does the teacher ensure access to the general curriculum?
12. \*If the staff member is a paraprofessional, is the paraprofessional under the direct supervision of a teacher?
13. \*Research indicates that students from racial/ethnic groups are given harsher consequences for the same offenses than other students. How might this be contributing to your district’s discrepancy?
14. Why do you think your district has a discrepancy in the rates of suspension of (race/ethnicity) students with an IEP?

## Pattern of Removals Questions (§300.536 (a)(2))

1. How does the district keep track of patterns of removals?
2. How does the district determine if a pattern of removals constitutes a change of placement?
3. Who is involved in the determination of a change of placement process?
4. What is the district’s procedure or guidance on what constitutes a pattern of removals?
5. Are these procedures in writing?

## Manifestation Determination Review (MDR) Questions:

1. \*When is an MDR conducted? (34 CFR §300.530 (e)(i)(ii))
2. \*What is the process for conducting an MDR? (34 CFR §300.530 (e)(i)(ii))
3. When do you provide a copy of the procedural safeguards (parental rights) to parents? (34 CFR §300.530 (h))
4. How is that documented?
5. Are these procedures in writing?

## Data Questions

1. What is the method used for collecting and tracking data related to disciplinary actions?
2. Does the data include number, reasons, and duration of suspensions?
3. \*Does the data include the student’s racial/ethnic group?
4. \*How do you track mandatory expulsions (weapon, arson, or criminal sexual conduct) for students with an IEP?
5. \*How are the data reviewed and analyzed?
6. \*Has the district found any patterns with regards to suspensions/expulsions?
7. \*How are the data shared with staff? Do you include special education staff in that discussion?
8. \*Who inputs the data into the Michigan Student Data System (MSDS) or the district data system? What is your system for data verification?
9. \*When the Office of Special Education (OSE) issues findings of noncompliance related to procedural errors in disciplining students with an IEP, correction of the noncompliance often does not lead to changes in the discipline data that prompted the monitoring review. Regardless of the issuance of a finding, how can your district change their discipline practices so that the data will not prompt another monitoring review?
10. \*What challenges or barriers might you encounter in making these changes?