

# Senate File 2428

## Frequently Asked Questions (FAQ)

Aug. 18, 2026

### Introduction

[Senate File 2428](#) was signed into law including new substantive requirements concerning discipline of students who cause violent or nonviolent disruptions in the classroom, district training, Department responsibilities, and the adoption of attendance centers as part of a pilot program in a rural and urban school district in Iowa.

This FAQ is intended to provide general guidance regarding Senate File 2428 (also referred to as SF2428). It does not replace Iowa Code, federal law, administrative rule, or local board policy.

### Discipline of students for violent or nonviolent disruptions (Section 279.65B)

#### **Q1. Which schools are affected by new section 279.65B on discipline of students who cause violent or nonviolent disruptions?**

Public schools and charter schools are required to follow new section 279.65B of Iowa Code for discipline of students who cause violent or nonviolent disruptions.

#### **Q2. Does the act apply to Preschool?**

Section 279.65B: Discipline of students who cause violent or nonviolent disruptions does not apply to preschool. Other sections of this act do apply to preschool.

#### **Q3. Does the Act apply to school transportation?**

No. SF2428 addresses a teacher's authority to remove a student from a teacher's classroom due to a nonviolent or violent disruption. The Act does not establish a comparable removal process for school buses or other transportation settings. Districts should continue to address transportation related discipline issues through existing board policies, student conduct procedures, and applicable state and federal laws.

#### **Q4. What definitions are included?**

Iowa Code section 279.65B defines:

"Nonviolent disruption" as "includ[ing] but is not limited to a disruption to classroom instruction that is a result of any of the following:

- 1) Disorderly conduct.
- 2) Abusive or profane language.
- 3) Bullying, as defined under section 280.28.
  - Iowa Code section 280.28: "any repeated and targeted electronic, written, verbal, or physical act or conduct toward a student that creates an objectively hostile school environment that meets one or more of the following conditions:
    - (1) Places the student in reasonable fear of harm to the student's person or property.

- (2) Has a substantially detrimental effect on the student's physical or mental health.
  - (3) Has the effect of substantially interfering with a student's academic performance.
  - (4) Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school."
- 4) Repeated disruptive behavior.

"Violent disruption" as "includ[ing] but is not limited to a disruption to classroom instruction that is a result of a threat of violence or an incident of violence that results in any of the following:

- 1) Injury.
- 2) Property damage.
- 3) Assault, as defined under section 708.1.
  - Iowa Code section 708.1: "A person commits an assault when, without justification, the person does any of the following:
    - a. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
    - b. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.
    - c. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon toward another.
    - d. Intentionally points a laser emitting a visible light beam toward another person with the intent to cause pain or injury to another, or toward an aircraft."

#### **Q5. What is the process for removing a student for a nonviolent disruption?**

A teacher may remove a student who causes a nonviolent disruption from the classroom and place the student under the supervision of the principal or the principal's designee for a minimum of 30 minutes.

- The teacher who removed the student and the principal must meet prior to the student returning to the classroom.
- If the student is in grades 6 through grade 12 and is removed for a nonviolent disruption, the student is to be removed from that classroom until at least the immediately subsequent school day.
- If a student is removed from a classroom multiple times for a nonviolent disruption, a team must meet to establish a behavior plan and course of discipline to correct the student's behavior. This team must include the teacher(s) who removed the student from the classroom, the building principal, guidance counselor, the student's parent(s)/guardian(s) if not an emancipated minor, and the student.

#### **Q6. What is the process for removing a student for a violent disruption?**

A teacher is required to remove a student who causes a violent disruption from the classroom and place the student under the supervision of the principal or the principal's designee.

- The teacher who removed the student and the principal must meet prior to the student returning to the classroom.
- If the student is in grades 6 through grade 12 and is removed for a nonviolent disruption, the student is to be removed from that classroom until at least the immediately subsequent school day.
- A student shall not under any circumstance be readmitted to a teacher's classroom if all of the following criteria are satisfied:

- The teacher removed the student from the teacher's classroom because the student caused a violent disruption that included the student assaulting the teacher.
- The teacher does not consent to allowing the student to return to the teacher's classroom.

**Q7. Can a student attend other classrooms/courses that they were not removed from during the day of a removal?**

SF2428 establishes procedures for the removal of a student from a specific teacher's classroom due to a nonviolent or violent disruption. The law does not prohibit a student from attending other classes or courses from which the student has not been removed.

For students whose schedules include multiple classes taught by different teachers, local school officials may determine whether the student will attend other classes following a removal period, consistent with district policies.

**Q8. Is a student responsible for completing any work missed during a removal?**

The student is required to make up any work that the student missed while the student was under the supervision of the principal or principal's designee.

Please review the Behavior and Discipline Policy & Practice Webinar for information regarding the obligation to provide services to students with disabilities during removals.

**Q9. What notifications are required following a removal?**

The principal, or the principal's designee, shall inform the teacher of the disciplinary actions taken against the student removed from the classroom as soon as is reasonably possible after the student's removal.

The district should determine a protocol for parent/guardian notification of a removal in accordance with applicable state and local policy.

If the principal determines that disciplinary action should be taken against a student who was removed from a teacher's classroom for a violent or nonviolent disruption, then the principal shall provide written and, if possible, electronic notice of such disciplinary action to the student's parent or guardian.

If the removal included a threat of violence or incident of violence that results in injury, property damage or assault, the teacher will report to the principal or administrator within 24 hours and the principal/administrator will notify the parents/guardians of the student who made the threat or caused the incident and the target/victim within 24 hours after the teacher report. [Iowa Code section 279.51A](#)

All policies and procedures to maintain a [healthy and safe learning environment](#) must continue to be met. For example, if the removal results in restraint or seclusion, procedure and notification requirements of Iowa Administrative Code chapter 281-103 must also be followed. [Iowa Administrative Code 281–103](#).

**Q10. What happens if the student is removed from the classroom more than once due to a nonviolent disruption?**

If a student is removed for a nonviolent disruption more than once, a team including the teacher who removed the student, the principal, a qualified school counselor, the student's parent/guardian and the student shall meet to discuss the disruption and establish a behavioral plan and course of discipline.

If the student has an Individualized Education Program (IEP), a meeting must occur after the first nonviolent disruption. For details on these requirements, please see question 17.

As a reminder, the IEP team for each child with a disability must include:

- the parents of the child;
- at least one regular education teacher of the child if the child is, or may be, participating in the regular education environment;
- at least one special education teacher of the child or, where appropriate, at least one special education provider of the child;
- a qualified representative of the public agency who is knowledgeable about the availability of resources;
- an individual who can interpret evaluation results, who may also be a member previously listed;
- at the discretion of the parent or public agency, other individuals who have knowledge or expertise regarding the child;
- and whenever appropriate, the child with a disability.

IAC 41.321; 34 C.F.R. 300.321

**Q11. What happens if the student is removed two or more times for violent or nonviolent disruption?**

If a student is removed from a teacher's classroom for a violent or nonviolent disruption two or more times in a semester, the trimester or quarter equivalent, then the principal shall discipline the student by assigning the student to either in-school or out-of-school suspension and/or recommending to the superintendent that the student be located in an alternative learning environment that has been approved by the superintendent within local policy.

As a reminder, both Section 504 and the IDEA require that students with disabilities be educated in the least restrictive environment. 34 C.F.R. 104.34; 34 C.F.R. 300.114. Additionally, decisions regarding the educational placement of a child with a disability must be made by a group of knowledgeable individuals, and under the IDEA, this group must include the parents. 34 C.F.R. 104.35(c); 34 C.F.R. 300.327.

If a student was removed from a teacher's classroom because the student's conduct, statements, or other actions were severe or pervasive, and, if requested by the teacher, then the principal shall impose the maximum amount of discipline applicable according to local, state and federal policy.

**Q12. What if the teacher and principal disagree about a student's readmission to the classroom following a removal? Who has the final decision?**

The principal has the authority to determine when a student will be readmitted to the classroom, subject to the teacher's appeal rights and any local policies adopted in accordance with Iowa Code sections 279.65A and 279.65B.

An exception applies when a student is removed from the classroom for a violent disruption involving an assault on a teacher. In that circumstance, the student may not be readmitted to that teacher's classroom if both of the following conditions are met:

- The student assaulted the teacher; and
- The teacher does not consent to the student's return.

**Q13. What are the roles and responsibilities of the Oversight Review Committee?**

Each attendance center within the school district must create an oversight review committee that is responsible for developing a policy, consistent with Iowa Code section 279.65B, that establishes when a student who has been removed from the classroom for violent or nonviolent disruption may be readmitted to the classroom. The oversight review committee *may* issue recommendations related to when a student who was removed from a teacher's classroom pursuant to nonviolent removals should be readmitted to the teacher's classroom.

The oversight review committee must consist of all of the following members: two teachers who work at the attendance center that are selected by the teachers who work at the attendance center; and one administrative employee, mental health professional, or behavioral interventionist who works in the attendance center and who must be selected by the principal of the attendance center.

**Q14. Must the student remain out of class until the principal meets with the teacher who removed the student?**

Yes. Under SF2428 a student who has been removed from a classroom for a nonviolent or violent disruption may not be readmitted to that teacher's classroom until the required meeting between the teacher and principal (or designee) is held.

**Q15. How is removal from class due to a nonviolent or violent disruption reported in the student information system?**

For attendance purposes, a student's temporary removal from the classroom does not count against a student's daily absence and attendance summary. However, all classroom removals due to a nonviolent or violent disruption must be sufficiently documented to identify when the removal occurred, the problem behavior that resulted in the removal, and the removal action taken (use Action Taken 1:In-School Suspension). All subsequent disciplinary action must also be appropriately reflected in reporting.

Please refer to question 20 for guidance regarding reporting and counting removals involving students with disabilities.

**Q16. How does Iowa Administrative Code (IAC) Chapter 103 relate to student removals under SF2428?**

SF2428 does not replace or modify the requirements of [IAC Chapter 103 \(implementing Iowa Code section 280.21\)](#) related to restraint, seclusion, physical confinement and detention. Districts must continue to comply with all applicable Chapter 103 requirements, including documentation, parent notification, incident review and debriefing requirements.

## **Students with an IEP or 504 (Section 279.65B)**

**Q17. What if the student who is removed has an IEP?**

If a student who has an IEP is removed from a teacher's classroom for a violent or nonviolent disruption then an IEP team meeting shall take place immediately subsequent to the student's removal and include specified participants and processes. In addition to the IEP team, the teacher who removed the student from the

classroom, any teacher providing instruction to the student, and any other employee of the school district involved in the incident of violent or nonviolent disruption shall participate in the meeting. The IEP team meeting is to discuss:

- The appropriateness of the student's current educational programming.
- Whether adjustments need to be made to the student's individualized education program to address the student's behaviors.
- Whether the student's current placement or an alternative learning environment would best provide the student with a free appropriate public education.
- The accommodations, modifications, and adaptations that are required to allow the student to be successful in a general education setting, what supports are needed to assist the teacher and other school district employees in providing those accommodations, modifications, and adaptations, and whether it is possible for the school district to provide those supports, accommodations, modifications, and adaptations.
- Whether and to what extent the provision of special education services and activities in the general education environment will impact the student and the other students in the classroom.

NOTE: This statutory requirement builds upon the existing IDEA requirement that IEP teams review and revise a student's IEP, as appropriate. 34 C.F.R. 300.324.

**Q18. Do accommodations, supports, services or interventions identified in a student's IEP, Behavior Intervention Plan (BIP) or Section 504 Plan count as removals under Iowa Code section 279.65B?**

Accommodations, supports, services and interventions that are documented and implemented consistent with a student's IEP, BIP or Section 504 Plan are not considered removals solely because they involve the student temporarily leaving the classroom. However, if a student is removed from the classroom for behavior-related or disciplinary reasons, the action may be considered a removal under Iowa Code section 279.65B and may also be considered a removal for purposes of IDEA disciplinary protections.

**Q19. Do the new discipline rules change manifestation determination requirements?**

No. The discipline provisions of this law operate alongside, not in replacement of, existing IDEA and Section 504 procedural safeguards. Moreover, SF2428 designates the building principal as responsible for ensuring all manifestation determination review meetings are conducted as required under federal law in an expeditious manner.

**Q20. How are removals of learners counted, and how does this impact Manifestation Determinations?**

Removals of students with disabilities must be counted in accordance with applicable federal and state law. A removal under Iowa Code section 279.65B may also count as a removal for purposes of IDEA disciplinary protections. School districts should review each removal on a case-by-case basis to determine if it also constitutes a removal under the IDEA. Please review the information within the Behavior and Discipline special education [Policy and Practice webinar series](#) for further technical assistance on defining a removal under the IDEA.

Under the IDEA and Section 504, a manifestation determination is required when a disciplinary removal constitutes a change of placement. A change of placement occurs when a student with a disability is removed

for more than 10 consecutive school days or more than 10 nonconsecutive school days and the series of removals constitute a pattern. Please see the section in [i3](#) on manifestation determinations for further details.

**Q21. Can the IEP meeting required by SF2428 and a manifestation determination review occur during the same meeting?**

If a student's removal triggers both the IEP team meeting required under Iowa Code section 279.65B and a manifestation determination review required under the IDEA, a district may address both requirements during the same meeting when appropriate. School districts should ensure that all required participants are involved and that each process is conducted in accordance with applicable state and federal requirements.

NOTE: The IEP team meeting required by SF2428 is in addition to, and does not replace, a manifestation determination review required under the IDEA. 34 C.F.R. 300.530(e).

**Q22. Does SF2428 change the least restrictive environment (LRE) requirement?**

No. The least restrictive environment requirement, which requires that students with disabilities be educated with nondisabled peers to the maximum extent appropriate, is mandated by federal law and remains unchanged. SF2428 reinforces compliance with the requirement of LRE by requiring LRE-focused training for IEP team members.

**Q23. How do decisions by the Oversight Review Committee impact IEP team decisions for individual students?**

The Oversight Review Committee may issue recommendations related to when any student who was removed from a teacher's classroom should be readmitted to the teacher's classroom. Those recommendations do not supersede the authority of the IEP team or 504 Team to make decisions for an individual student's educational program, services, supports or placement. School districts must continue to comply with all applicable state and federal laws.

## **Students with an IEP or 504 (Section 279.90 Individualized education programs and section 504 plan requirements)**

**Q24. How and when can a teacher request an IEP team meeting?**

A teacher may request an IEP team meeting at any time by submitting an electronic or written request to an administrator.

NOTE: This provision does not alter or limit a parent's right under the IDEA to request an IEP team meeting at any time. 71 Fed. Reg. 46,676 (Aug. 14, 2006); see 34 C.F.R. §§ 300.321 - 300.322.

**Q25. Can an administrator deny a teacher's request for an IEP team meeting?**

An administrator can deny a teacher's request for an IEP team meeting if both conditions are met: (a) the denial is provided to the teacher in writing, and (b) a description is provided regarding why applicable federal law does not require the meeting of the student's IEP team.

**Q26. Must paraprofessionals attend all IEP or 504 meetings?**

At least one paraprofessional or other district employee who assists a teacher in providing classroom instruction to a student with an IEP or 504 plan must attend all meetings related to that student's IEP or 504 plan. These meetings must be scheduled at a time and place mutually agreed upon by the student's parent(s) and the district and to the extent practicable. These meetings should take place during normal business hours.



### **Q27. What responsibility do district employees have to review a student's IEP or 504 Plan?**

School district employees are required to review the IEPs and 504 Plans of all students whose educational accommodations, modifications, or services they are responsible for implementing.

### **Q28. What written notice requirements apply to the review of a student's IEP or 504 Plan by district employees?**

Following changes to the accommodations or modifications described in a student's IEP, the regular education teacher must provide written notice to the special education teacher who is on the student's IEP team indicating that the regular education teacher has read the changes to the accommodations or modifications.

Each teacher employed by the district who teaches a student with a 504 Plan must read the plan and provide written notice to any special education teacher who provides special education services to the student, or to the principal, indicating that the teacher has read the plan.

## **District Training**

A district's professional development plan must include programs or offerings for all teachers to support serving students with disabilities, including the general requirements of a free appropriate public education (FAPE) and least restrictive environment (LRE), as well as each teacher/staff's responsibilities relating to the development and implementation of a student's IEP.

## **Department Responsibilities**

The Iowa Department of Education (Department) has provided additional training and resources and is in the process of updating accreditation, monitoring and enforcement actions.

## **Department Training**

### **Q29. What will the Department provide?**

Please see the Department's Policy and Practice Webinar Series including a specific training on [Free Appropriate Public Education \(FAPE\)](#), [FAPE-Special Requests](#), and [Least Restrictive Environment](#).

To support professional learning beyond educators and staff to include all IEP team participants, the Iowa Department of Education is also developing and distributing a training program and training materials focused on parents, advocates, community partners and related service providers regarding the least restrictive environment requirements under the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

## Accreditation, Monitoring, and Enforcement

The department shall consider the timeliness and accuracy of the information a school district or nonpublic school provides to the department, including potential underreporting or late reporting of data related to school discipline and school safety, necessary to monitor and implement the provisions of [Iowa Code chapter 280](#).

### **Q30. When does this process take effect?**

New provisions of SF2428 will begin July 1, 2026.

### **Q31. Which schools does this apply to?**

Public schools, charter schools, and nonpublic schools seeking to obtain or maintain state accreditation.

### **Q32. What is the department looking for when it monitors and enforces compliance through General Supervision?**

The Department will look at whether a school is providing information that is both timely and accurate, including the reporting of data related to school discipline and school safety.

## Attendance Center Pilot Program

The Department shall develop and administer a pilot program that requires a rural school district and an urban school district to each establish an attendance center to be used to provide educational services, including special education services, to eligible students who are enrolled in the rural school district or urban school district, as applicable.

### **Q33. Who will decide which districts participate in the pilot program?**

The Department will select one rural district and one urban district, based on the definitions within SF2428.

### **Q34. Can any student attend the pilot program attendance center?**

No. The students who are enrolled in the pilot program attendance center are limited to learners who either (a) require special education services, or (b) whose emotional, social, or behavioral needs interfere with the student's ability to be successful in the general education environment, even with the use of supplementary aids and services.

### **Q35. Can an eligible student opt out of participation at a pilot program attendance center?**

Yes, if the eligible student's parent or guardian provides notice to the rural/urban district requesting that the eligible student be excused from such attendance.

### **Q36. What are the reporting requirements for pilot programs?**

Participating districts must submit an annual report to the Department by June 1 of each year containing:

- Number of eligible students who participated

- Academic performance data of participants
- Student feedback on program effectiveness
- Parent/guardian feedback on program effectiveness
- Teacher feedback on program effectiveness
- Challenges associated with operating the program
- Recommendations for improvement
- Any other information requested by the Department

The Department must then compile these reports and submit them to the General Assembly by June 30 each year.

### **Q37. When does the pilot program end?**

The pilot program is repealed on July 1, 2031, unless extended by future legislative action.

### **Q38. How does a district pursue participation in the pilot program?**

Please find the application available in CASA beginning July 1, 2026. When filling out the application, please review the [Attendance Center Pilot Program Application Instructions](#) and [Application Scoring Rubric](#).

## **Resources**

[Discipline in an IEP \(i3\)](#)

[Behavior and Discipline Policy & Practice Webinar](#)

[Behavior Intervention Plan \(BIP\) Guide and Checklist from ASK Resource Center](#)

[Iowa Department of Education Training and Resources for FBAs and BIPs](#)

[Healthy & Safe Learning Environments](#) information and resources

[Protecting Student Safety](#) information and resources

[Therapeutic Classroom](#) information and resources

[Alternative Education](#) information and resources

[Corporal Punishment, Physical Restraint, Seclusion, and Other Physical Contact with Students](#)

## **Points of Contact**

Regional Special Education Director, Matt Cretsinger - Special Education Regional Division  
[matt.cretsinger@iowa.gov](mailto:matt.cretsinger@iowa.gov), 515-975-1438

Education Program Consultant, Rose Cartee - Special Education Evaluation, Instruction & Services  
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School Discipline and School Safety: Bureau Chief Joanne Tubbs - School Improvement  
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## Additional Questions:

### **Q39. How is removal from class due to a violent or nonviolent disruption reported in the student information system? (Follow-up to Q15)**

Student removals associated with SF2428 should be coded using the most accurate problem behavior description of the violent or non-violent disruption. Use Action Taken 1 for all In-School Suspensions, including these removals. All subsequent disciplinary actions must also be appropriately reflected in reporting.

### **Q40: Who serves on the Oversight Review Committee per Iowa Code?**

Each attendance center within the school district must create an oversight review committee consisting of all of the following members:

“(1) Two teachers who work at the attendance center and who must be selected by the teachers of the attendance center.

(2) One administrative employee, mental health professional, or behavioral interventionist who works in the attendance center and who must be selected by the principal of the attendance center.”

Iowa Code § 279.65B(4)(b).

### **Q41: If a student is removed from the classroom more than once, a meeting occurs and a behavior plan is established, what are the requirements for subsequent disruptions per Iowa Code?**

If a student is removed from the classroom for a nonviolent disruption more than once a team including the teacher who removed the student, the principal, a qualified school counselor, the student's parent/guardian and the student must meet to discuss the disruption and establish a behavioral plan and course of discipline.

If a student is removed from a teacher's classroom two or more times in a semester, or the trimester or quarter equivalent, then the principal shall discipline the student by doing any of the following:

“(a) Assigning the student to either in-school or out-of-school suspension.

(b) Recommending to the superintendent that the student be located in an alternative learning environment that has been approved by the superintendent.”

Iowa Code § 279.65B(3)(b).

For information specific to students with IEPs, please refer to Q17 and Q42.

### **Q42: Is the IEP team required to meet after each incident of a violent or nonviolent disruption?**

If a student with an IEP has been removed from the classroom due to a violent or nonviolent disruption, then an IEP team meeting shall take place immediately subsequent to the student's first removal and include specified participants and processes. See Q17 for a comprehensive list of required attendees (at a minimum the IEP team) and topics that must be discussed.

The next time a meeting is required for the student with an IEP due to a violent or nonviolent disruption is if the student was removed from the classroom five or more times within any fifteen consecutive school day period. This meeting involves only the IEP team, and, therefore, does not require attendance by all of the participants required to attend the first removal meeting (as listed above). The purpose of this IEP meeting is to discuss the student's behavior and could lead to an amendment or new annual IEP, depending upon the outcome of the decisions.

The IEP meeting may occur before the student returns back to the classroom from which they were removed, but it does not have to occur before the student returns back to the classroom.

**Q43: What evidence do districts need to collect to document that teachers/staff have reviewed IEPs and 504s?**

Districts have local control over how they would like to collect the documentation showing a staff member who is responsible for implementing the IEP or 504 has read the student's IEP or 504. This [sample document](#) may be referenced for assistance in creating your own form. These forms may then be uploaded into the student's ACHIEVE file.

**Q44: What are examples of topics that may be discussed in a readmittance meeting?**

The Act requires the teacher who removed the student and the principal (or principal's designee) to meet before the student returns to the classroom from which they were removed to discuss the student's readmission. SF2428 does not establish a required agenda for this meeting; however, consistent with the purpose of the meeting, the teacher and principal (or designee) may discuss:

- The student's conduct that resulted in the student's removal from the classroom;
- Any disciplinary action taken or under consideration;
- The applicable readmission policy developed by the Oversight Review Committee and/or local board of education policy;
- Expectations, strategies and supports for the student's successful return to the classroom;
- Any concerns raised by the teacher regarding the student's return to the classroom;
- Expectations for the student to make up any work missed during the removal from the classroom; and
- Whether the teacher has observed patterns of behavior that may trigger the district's Child Find responsibilities.

If the student has an IEP, the discussion may also include:

- Any questions the teacher has regarding the student's accommodations, modifications, behavioral strategies or other IEP supports;
- The extent to which those supports are being implemented in the classroom and any barriers to implementation; and
- Whether the teacher has information or concerns that should be considered by the IEP team at a future IEP meeting.

It is also important to understand that the readmission meeting does not replace an IEP team meeting, a manifestation determination review or other meetings required by SF2428.

Lastly, please note that the teacher and principal (or designee) cannot change a student's IEP, services, supports or placement during a readmission meeting. Decisions regarding a student's IEP services, supports and placement are decisions of the IEP team.

**Q45: May a special education teacher assaulted by a student with a disability not consent to the student returning to the teacher's classroom?**

SF2428 provides that a student shall not be readmitted to a teacher's classroom if the student assaulted the teacher and the teacher does not consent to the student returning to the teacher's classroom. However, as explicitly stated in SF2428, the Act is subject to, and shall not infringe upon, the rights provided to students under the IDEA. Therefore, if excluding the student from the teacher's classroom would violate the student's rights under the IDEA because the school district would otherwise be unable to provide FAPE in the LRE

(oftentimes due to access to appropriately licensed staff), the student must be permitted to return to the classroom.

**Q46: May a teacher remove a student for a nonviolent or violent disruption from a classroom in which the teacher is co-teaching? May paraeducators remove a student from the classroom for a nonviolent or violent disruption?**

A classroom where a special education teacher is co-teaching is also considered their classroom. SF2428 provides teachers with the authority to remove a student from their classroom for a nonviolent or violent disruption. The Act does not provide this authority to paraeducators.

**Q47: May a nonviolent or violent disruption occur at recess, lunch, and passing time?**

The removal requirements established by SF2428 for violent and nonviolent disruptions apply only to the classroom. Local district policies may govern a student's removal from other settings, such as recess, lunch, and passing time.

**Q48: Are school staff members who are required to participate in a meeting under SF2428, but are not required IEP team members under the IDEA, required to complete an excusal if they cannot attend?**

The requirement to complete an excusal is specific to the IDEA and, thus, only to participants required under the IDEA.