

**G. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES  
(34 CFR §300.535)**

1. The state and federal regulations do not:
  - a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
  - b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

2. Transmittal of records

If a LEA reports a crime committed by a child with a disability, the LEA:

- a. Must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime;
- b. May transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.