

WORKSHEET FOR MANIFESTATION DETERMINATION

STUDENT: _____ **GRADE:** _____ **DATE:** _____

1. Section 504 Meeting Participants:

NAME

Title

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. DESCRIBE NATURE OF STUDENT'S DISABILITY:

3. DESCRIPTION OF MISCONDUCT:

- a. Date of Disciplinary Action: _____
- b. Date Parents Notified of Disciplinary Action: _____
- c. 504 of Notice of Rights Given? Yes No

5. INFORMATION CONSIDERED IN CONDUCTING A MANIFESTATION DETERMINATION:

(Each item below must be considered. Check box as each topic is addressed.)

- Teacher Observations of the Student
- Relevant Information Supplied by Parents
- Evaluations and Diagnostic Results
- Student's 504 Plan
- Relevant Information Supplied by School Staff
- Other (describe)

6. Was the misconduct in question caused by the student's disability, or does the misconduct in question have a **direct and substantial relationship** to the student's disability?

YES NO

Comments:

7. Was the misconduct in question a **direct result** of the district's failure to implement the 504 Plan (in relationship to the misconduct in question)?

YES NO

Comments:

8. If the answer to **either** #6 or #7 is "**Yes**", the behavior under review **is** considered a manifestation of the student's disability.

9. If the answer to **both** #6 and #7 is "**No**", the behavior under review **is not** considered a manifestation of the student's disability.

Procedure if Misconduct is not a Manifestation of the Student's Disability:

If the manifestation determination team determines that the misconduct in question is **not** a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as the procedures would be applied to a student without disabilities.

Procedure if Misconduct is a Manifestation of the Student's Disability:

If the manifestation determination team determines that the misconduct in question **is** a manifestation of the student's disability, the 504 Team should:

1) conduct a functional behavioral assessment unless the district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student;

or

2) if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior;

and

3) return the student to the placement from which the student was removed, unless the parent and the district agree to a change of placement as part of the modification of the behavioral intervention plan.

Updated: November 6, 2013