

PR-03 MANIFESTATION DETERMINATION REVIEW

THIS MANIFESTATION DETERMINATION MUST OCCUR WITHIN 10 DAYS OF ANY DECISION TO CHANGE THE PLACEMENT OF A CHILD WITH A DISABILITY DUE TO A VIOLATION OF THE CODE OF CONDUCT.

The manifestation determination review is conducted by the child's parents and the relevant members of the child's IEP team, as determined by the parents and the educational agency. (NOTE: No manifestation determination review is required when a child is removed from his current placement for NOT MORE THAN 10 SCHOOL DAYS to an interim alternative educational setting (IAES), another setting or via suspension and for additional removals of not more than 10 cumulative days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a pattern. Schools may make such short-term removals for violations of a code of student conduct to the extent that such alternative settings are also applied to students without disabilities. In addition, schools may remove a student to an IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability in cases where a child carries or possesses a weapon to or at school, on school premises or at a school function; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises or at a school function; has inflicted serious bodily injury upon another person while at school, on school premises or at a school function.

Date of Manifestation Determination Review

CHILD'S INFORMATION

CHILD'S NAME: _____ DATE OF BIRTH: _____ ID NUMBER: _____

DESCRIBE THE CHILD'S DISABILITY (include eligibility category and how the disability impacts the student):

DESCRIPTION OF THE BEHAVIOR SUBJECT TO DISCIPLINARY ACTION:

REVIEW OF INFORMATION (All boxes must be completed).

Information provided by Parents:

Information provided by the Student's Teachers including observations:

Information provided by other members of the team:

Relevant information from the IEP and the implementation of the IEP:

Relevant information from the Student's ETR (include dates of most recent evaluation):

PR-03 MANIFESTATION DETERMINATION REVIEW

Relevant information from the FBA/BIP, if applicable:

Information from the team (including the Parent) which explains how the behavior is directly and substantially related to the student's disability or is not directly and substantially related:

DETERMINATION OF THE RELATIONSHIP OF THE BEHAVIOR OF CONCERN TO THE STUDENT'S DISABILITY

1. In relationship to the behavior subject to disciplinary action

- a. Did the IEP team determine that the conduct in question was caused by/or had a direct and substantial relationship to the child's disability? ☐ YES ☐ NO
- b. Was the child's conduct a direct result of the district's failure to implement the IEP? ☐ YES ☐ NO

The behavior is a manifestation of the student's disability, if the IEP team indicated "Yes" on items a or b above.

TEAM DECISION WITH JUSTIFICATION

Required Next Steps

- If it is determined that the behavior is not a manifestation of the disability, relevant discipline procedures can be followed with the provision of IEP services and ensuring the Student is able to make progress in the general education curriculum. Where and how will Student receive IEP services and instruction in the general education curriculum.
- If it is determined that the behavior is a manifestation of the disability, the Student must be returned to their placement prior to the disciplinary incident. Then, the district must complete an FBA (or review the current one) and implement a BIP. If already in place, the BIP must be reviewed and modified, if necessary. Include the dates to complete or review the FBA and to complete or revise the BIP:

SIGNATURES

Parent Signature	Parent Name (Printed)
Signature	Title
Signature	Title
Signature	Title