



Manifestation Determination Guide

Meeting Date: ___ / ___ / ___

Student: _____

Date of Birth: ___ / ___ / ___

School District: _____ School Building: _____

Code of conduct violation:

Timelines: Within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of conduct, a manifestation determination must be made.

Date the code of conduct violation occurred: ___ / ___ / ___

Date of the school district's determination that the potential disciplinary action would constitute a change of placement (educational setting change for more than 10 days): ___ / ___ / ___

IEP Team Review: The following information was considered:

- Evaluation and diagnostic results
- Information from the parents or guardian
- This individual's IEP
- Teacher observations
- Other:

Behavioral Background Information

Yes No Has there been a history, previously documented or not, of behavioral concerns for this student?

If "No," proceed to the Manifestation Determination section.

If "Yes", briefly describe the history of behavior concerns:

Yes No Does the history of behavior concerns include behavior similar to or related to the behavior that was a code of conduct violation?

Comments:

Yes No Has a functional behavioral assessment been completed for this student? If "Yes," what function (purpose) of the student's behavior(s) of concern was identified?

Yes No Is this function related to the behavior that was a code of conduct violation?

Comments:

Yes No Have the behavior(s) of concern been considered in developing the current IEP (i.e., "Behavior" was indicated to be a Special Consideration in the Present Levels of Academic Achievement and Functional Performance)?

Comments:

Yes No Have the behavior(s) of concern been addressed through interventions documented in an IEP (behavioral goal & services) or in a behavior intervention plan? If "Yes":

Yes No Have these interventions been matched to the identified function of the behavior(s) of concern?

Comments:

Yes No Will the supports and services specified in the IEP or the behavioral intervention plan meet this student's future behavioral needs?

Comments:

Manifestation Determination

Yes No 1. Was the code of conduct violation caused by or have a direct and substantial relationship to this individual's disability?

Yes No 2. Was the code of conduct violation the direct result of the school's or area education agency's failure to implement the IEP?

If the team agrees that **either** question is correctly answered "Yes", the behavior **is** a manifestation of this individual's disability.

If the team agrees that **both** questions are correctly answered "No", the behavior **is not** a manifestation of this individual's disability.

The team reached consensus that the behavior is is not a manifestation of this individual's disability.

The team did not reach consensus. Attach a Written Prior Notice, informing the parents of the school's determination.

Individuals Who Participated in this Meeting

(Required Participants: Parents, an LEA Representative & Relevant IEP Team Members)

_____	Parent	_____	_____
_____	Parent	_____	_____
_____	LEA Rep/Designee	_____	_____
_____		_____	_____
_____		_____	_____

		Is the Behavior a Manifestation of Disability?	
		Yes	No
Are There Special Circumstances? Possessed or sold drugs, possessed a weapon, caused serious bodily injury	No	<ul style="list-style-type: none"> ✓ Disciplinary action constituting a change in placement may <u>not</u> be taken. ✓ Conduct a functional behavioral assessment if one has not been completed. ✓ Develop a behavior intervention plan. If a behavioral intervention plan already exists, review and modify it, as necessary. ✓ Change the IEP, program or BIP, as needed, to address behavior. 	<ul style="list-style-type: none"> ✓ Disciplinary action constituting a change in placement may be taken. ✓ Continue to provide educational services. Services must enable the individual to continue to participate in the general curriculum and to progress towards meeting the IEP goals. ✓ Consider the need for a functional behavioral assessment and development of a behavior intervention plan. If a behavioral intervention plan already exists, review and modify it, as necessary. ✓ The IEP team determines the setting for services.
	Yes	<ul style="list-style-type: none"> ✓ School officials may order a change in placement of up to 45 school days. ✓ Continue to provide educational services. Services must enable the individual to continue to participate in the general curriculum and to progress towards meeting the IEP goals. ✓ Conduct a functional behavioral assessment if one has not been completed. ✓ Develop a behavior intervention plan. If a behavioral intervention plan already exists, review and modify it, as necessary. ✓ The IEP team determines the setting for services. 	<ul style="list-style-type: none"> ✓ School officials may order a change in placement of up to 45 school days. ✓ Continue to provide educational services. Services must enable the individual to continue to participate in the general curriculum and to progress towards meeting the IEP goals. ✓ Consider the need for a functional behavioral assessment and development of a behavior intervention plan. If a behavioral intervention plan already exists, review and modify it, as necessary. ✓ The IEP team determines the setting for services.