

Section 504

MANIFESTATION DETERMINATION SUMMARY

(consideration of expulsion, revocation of IDA or removal from current placement for more than 10 days in the same school year)

Student: _____ Date of Birth: _____ School: _____

Current Educational Placement: _____

Alleged Behavior Resulting in this Assessment: _____

Date of incident: _____ Today's date: _____

Disability of Student: _____

Assessment team members (**must include** LEA representative, parent, and relevant members of the 504 team as determined by parent and LEA):

In accordance with 34 code of Federal Regulations, Part 104 this 504 Team meeting is being convened to review the relationship of the above named student's disability and the behavior subject to disciplinary action.

Team has reviewed the following (check to document consideration):

- The student's 504 Plan
- Teacher observations
- Relevant parent information
- Relevant information in the student's file (behavior plans, grades, STAR Scores, psychological assessments, etc., as appropriate)

After reviewing the above information, the 504 Team has made the following determinations in relationship to the behavior subject to disciplinary action:

1. Was the conduct in question caused by, or did it have a direct and substantial relationship to, the student's disability?

- Yes No. Please explain:

2. Was the conduct in question the direct result of the LEA's failure to implement the 504 Plan?

- Yes No. Please explain?

If the LEA, the parent, and relevant members of the 504 Team determine that EITHER of the above conditions exist, the conduct must be determined to be a manifestation of the student's disability.

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Actions Taken

3. Did the 504 team find that the conduct was a manifestation of the disability?

Yes (go to number 4) No (go to number 5)

4. If the team checked **YES**, then the 504 Team must do the following (the team must choose either A or B, then choose either C or D).

- A. Conduct a Functional Behavioral Assessment * and implement a behavioral intervention plan for the student if none had been developed before the incident; **OR**
 - B. Review the existing behavioral intervention plan and modify it, as necessary, to address the behavior (attach behavior plan)
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- C. Return the child to the placement from which the child was removed; **OR**
- D. Move the child to an alternative placement if both parent and LEA agree as part of the behavioral intervention plan.

5. If the team checked **NO** (found that the conduct was NOT a manifestation of the disability), all relevant disciplinary actions may be applied (Education Code 48000 & following) and the following actions must be taken:

- The child shall continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's 504 Plan
- The child must receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

6. The parents were notified no later than the date on which the decision was made to take disciplinary actions.
Date: _____

7. The parents were given the procedural safeguards notice. Date: _____

504 Team Discussion Notes:

Signatures (indicates attendance at meeting only):

Parent: _____

LEA Representative: _____

504 team member: _____

504 team member: _____

504 team member: _____

504 team member: _____

504 team member: _____

504 team member: _____