



USD 464 TONGANOXIE

SECTION 504 EXPULSION MANIFESTATION DETERMINATION REVIEW

Student Name: _____ Student Number: _____

Home School: _____ Date of Birth _____ Grade _____

Parent/Guardian Name: _____ Phone: (h) _____ (w) _____

Address: _____ City: _____ Zip: _____

Date of Meeting _____ Disability: _____ Current 504 Plan date: _____

Team Members Present for Review:

Name

Position

<u>Name</u>	<u>Position</u>

Describe the specific conduct/behavior for which the student is being considered for disciplinary action and steps taken. Include dates and relevant circumstances.*

*Under Section 504, the student *is not* entitled to a manifestation determination if: (1) the student's misconduct involves the use or possession of illegal drugs or alcohol; and (2) the student is currently engaging in the illegal use of drugs or the use of alcohol. In such instances, the student may be disciplined in the same manner as a non-disabled student would be disciplined for the use or possession of illegal drugs or alcohol.

Persons involved in determining whether the student's misconduct is a manifestation of his or her disability:

Sources of information considered (check all that were considered; write "N/A" for those sources that aren't applicable):

- | | |
|--|-----------------------------|
| _____ Assessment/diagnostic data | _____ Interviews conducted |
| _____ Functional behavioral assessment | _____ Behavior support plan |
| _____ Direct observations of the student | |
| _____ Records review, including the student's current Section 504 plan | |

Manifestation Review Form Continued...

Please consider the following questions as the team discusses the specific conduct in relationship to the student's Section 504 disability and the team reviews the data indicated above:

1. Did the student's disability impair his or her ability to understand the impact and consequences of the behavior subject to disciplinary action?

_____ Yes _____ No

2. Did the student's disability impair his/her ability to control the behavior subject to disciplinary action?

_____ Yes _____ No

If the answer to either or both of the above questions is "Yes", it must be determined that the behavior ***is*** a manifestation of the student's disability.

If the answer to both of the above questions is "No", the behavior ***is not*** a manifestation of the student's disability.

Manifestation Question:

Based on the answers to the above questions, is _____'s conduct a manifestation of his/her disability?

_____ conduct **IS** a manifestation of the disability _____ conduct **IS NOT** a manifestation of the disability

If the team has determined that the conduct described above **IS** a manifestation of the student's disability, the recommendation to expel, to long-term suspend, or to impose any other disciplinary change of placement shall be withdrawn. The Section 504 team should then make any changes to the student's Section 504 Plan that it deems appropriate.

If the team has determined that the conduct described above **IS NOT** a manifestation of the student's disability, the student may be disciplined in the same manner as non-disabled students. No educational services need to be provided to the student other than those provided to non-disabled students.

Manifestation Process Notes