



Local School System Manifestation Determination Form

III. Manifestation Determination

- a) Was the conduct in question caused by or does it have a direct and substantial relationship to the child's disability? _____
- b) Is the conduct in question a direct result of the system's failure to implement the child's IEP? _____

If the answer to either question III.(a) or III.(b) is YES, the conduct IS a manifestation of the child's disability and the child must be returned to the placement from which he was removed, unless: (1) incident involves weapons or drug possession or infliction of serious bodily injury; or (2) the parent and the district agree to a change of placement as part of the modification of the student's behavioral intervention plan.

If the behavior was a manifestation of the disability, the following must be considered:

Has a functional behavioral assessment been conducted?

If NOT, one must be conducted and a behavioral intervention plan must be developed and implemented.

If a behavioral intervention plan been developed and implemented, what revisions are necessary to prevent the behavior from occurring again?

If the answer to both of the above questions is NO, then the conduct is not a manifestation of the child's disability. The relevant disciplinary procedures applicable to children without disabilities may be applied in the same manner to the child with a disability. The school system's FAPE obligations continue when the resulting change of placement exceeds 10 school days, except that FAPE may be provided in an interim alternative educational setting. The FAPE-related services must 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 IEP.

If the behavior was not a manifestation, the need for a functional behavioral assessment and a behavioral intervention plan should be considered to prevent the behavior from recurring.

Team Members – The Team must consist of the parent and relevant members of the IEP Team as determined by the system and the parent.

Name & Title

Name & Title
