Manifestation Meeting Agenda Guidance

When a decision is made to effect a disciplinary change in placement for a student with a disability who violated a code of student conduct, the public agency must conduct a manifestation determination within 10 school days of that decision. A disciplinary change in placement occurs when a student is removed for more than 10 consecutive school days or is subjected to a series of removals that constitute a pattern:

* the series of removals total more than 10 school days in a school year
* the child’s behavior is substantially similar to the behavior in previous incidents that resulted in the series of removals
* such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

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Before the meeting, the case manager should review the data that has been collected from the special and regular education files, the IEP, teacher, observations, any relevant information from staff members and relevant, information from the parents/guardian. This information should be, summarized and developed into an agenda to take to the meeting.

On the agenda, you may identify all the team members present at the meeting and their individual roles. Time limits or meeting parameters may be needed in order to establish the best use of time and to keep the meeting moving. The purpose of the meeting should be stated clearly. A section of the agenda should be for suspension review.

Needed materials:

Last PLAAFP

Student’s Current IEP

Current accommodations and modification

FBA (Functional Behavior Assessment)

BIP (Behavior Intervention Plan)

Special and regular Education Files

Teacher observations

Discipline record

Proposed disciplinary Action

Procedural Safe guards/Parent Bill of Rights

Review Data:

Student’s IEP

Student’s current evaluation information

Student’s current progress towards IEP and Behavioral Goals

Teacher observations

Information from staff

Relevant information from parents/guardian

Agenda:

Identify all team members and roles

Review purpose of the meeting

Review and discuss summary of materials (See above List)

Review and discuss Summary of data (See above List)

Review suspension Information

Analysis

*Student services are not directly linked to IEP qualification area but are based on the identified needs of the student as indicated through the IEP assessments.*

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Meeting agenda

1. Introductions (identify all team members and roles)
2. Manifestation Determination purpose: The purpose of the manifestation determination is to determine if the student’s conduct was a manifestation of the child’s disability or a result of the failure to implement the student’s IEP. IDEA Regulation 34 CFR §500.536.

* If the behavior was caused by disability or failure to implement supports, the student cannot be suspended/removed.
* If the behavior was not caused by disability or failure to implement supports, the student can participate in the student discipline process.

1. Provide Parents with Procedural Safe guards/Parent Bill of Rights
2. Review summary of Student documentation

Review the last IEP assessment:

* What behaviors are listed?
* What support needs are listed?
* What indication is given about how student behaviors impact the student’s education?
* What are the student’s identified needs from the assessment?

Review of the student’s current IEP:

* Review student services section of the IEP
* What are the student’s goals?
* Do any of the goal relate to the student’s behavior?
* What types of services does the student receive?
* Do any of the provided services relate to or impact student behavior?
* Review current modifications and accommodations.

Review of the students FBA and BIP (if these documents are a part of the students IEP Records):

* What is the behavior summary/hypotheses from the FBA?
* What are the indicated behaviors of concern on the FBA?
* What are the operational definitions of the identified behaviors?
* What is the behavioral goal on the BIP?
* What are the supporting strategies/Interventions on the BIP?
* Are the behaviors defined within the FBA and BIP (behaviors for which services are being provided) similar/related or connected to the behaviors that the student is being disciplined for?

1. Review of Data Summary

Review present levels in the most current IEP:

* What progress has the student made?
* Where is the student struggling?
* What is indicated as the need for student supports?

Review teacher/staff observations and information of relevant student behavior:

* Include student grades, attendance
* An new assessments since the last IEP assessment

Review relevant information from parent/guardian:

* Any new outside assessments
* Student home behavior
* Student community behavior

1. Review Suspension behavior and proposed actions

* Review the specific details of the incident

1. Analysis discussion

Is the behavior listed in the suspension report similar or different from the behaviors described with the student disability?

* How the behaviors might be connected to the student’s disability
* How the behaviors might not be connected to the student’s disability.
* Discussion of behaviors that might be related to an emotional disability VS behaviors that might be considered to be Social Maladjustment (does the IEP, body of evidence, separate or make a distinction between which behaviors are related to the student’s disability VS behaviors that might be considered to be more related to social maladjustment).
* What is the current hypotheses of the student’s behavior and how does this hypotheses alien with or match the hypotheses generated from the FBA?

1. After the review of the above information answer the following questions:

* Was the conduct caused by or did it have a direct and substantial relationships to the student’s disability?
* Was the conduct the direct result of the district’s failure to implement the IEP/504?

The decision about the student’s behavior having a direct and substantial relationship to the student’s disability ***is not*** typically based on the following questions:

* Did the student know the difference between right and wrong?
* Was the behavior a choice based situation?

1. Conclusion:

* Summary of the results of the discussion/analysis
* Summary of decisions made
* Next steps that need to be taken