

Federal Assurance Administrative Exhibit

Special Education Local Plan

FAE 22

SUSPENSION/EXPULSION RATES

The following document is included:

- **Manifestation Determination form.**

See current year SELPA BINDER for:

- **Manifestation Determination form (Section 3)**
- **Positive Behavior Support Plan forms (Section 3)**
- **Emergency Intervention Report Form (Section 3)**
- **Behavior Interventions (Section 6)**

Siskiyou County SELPA

MANIFESTATION DETERMINATION SUMMARY
(consideration of expulsion, 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 IEP team as determined by parent and LEA):

In accordance with the Code of Federal Regulations, Section 300.530, this Individualized Education Program (IEP) Team meeting is being convened to review the relationship of the above named student's disability and the behavior subject to disciplinary action.

The team has reviewed the following (check to document consideration):

- The student's IEP
- Teacher observations
- Relevant parent information
- Relevant information in the student's file (behavior plans, functional behavioral assessments, psychological assessments, etc. if they exist)

After reviewing the above information, the IEP 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 IEP? Yes No. Please explain:

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

3. Did the IEP Team find that the conduct was a manifestation of the disability?

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

Actions Taken

4. If the team checked YES, then the IEP 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 48900 and following), and the following actions must be taken:

- The child shall continue to receive educational services, as provided in section 612(a)(1), 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 IEP. (Sec. 615(k)(1)(D)(i)).
- 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 (Sec. 612(k)(1)(D)(ii)).

6. The parents were notified no later than the date on which the decision was made to take disciplinary action.

Date:

7. The parents were given the procedural safeguards notice.

Date:

IEP Team Discussion Notes:

Signatures (indicates attendance at meeting only):

Parent:	LEA Representative
IEP team member	IEP team member
IEP team member	IEP team member
IEP team member	IEP team member

Functional Behavioral Assessment is not the same as a Functional Analysis Assessment, part of a Hughes Bill plan.