

**The Howard County Public School System  
 Department of Special Education  
 10910 Route 108  
 Ellicott City, MD 21042**

**Manifestation Determination Report**

<b>Student Name:</b>	<b>Student ID#:</b>		<b>Date of Birth:</b>
<b>Grade:</b>	<b>Age:</b>	Years, Months	<b>Date Of Meeting:</b>
<b>School:</b>	<b>Current Disability:</b>		<b>Current Disability Code:</b>

**PURPOSE OF THE MEETING:**

The purpose of this meeting is to determine whether the conduct, which resulted in a disciplinary action, was or was not a manifestation of the student's disability.

**PROCEDURAL SAFEGUARDS:**

The parent / guardian was provided with the Parents Rights-Maryland Procedural Safeguards Notice on .

**Section I: Review Student's Behavior and Disciplinary Record:**

Review of discipline and attendance records: (Attach reports)

**Date of incident:    Date of Removal:    Proposed Date of Return:**

**Proposed date of return information:**

**Description of the incident that led to the current suspension:**

**Document the Howard County Public Schools (HCPSS) code of conduct violation(s) resulting in the current suspension:**

**Document total suspension days for current school year, in-school or out-of-school:**

**Section II: Relevant Information Considered by the IEP Team to Determine Whether the Behavior is a Manifestation of the Student's Disability:**

**Review discipline and attendance records:**

**Review student's IEP (including goals to address behavior and/or behavior intervention plans):**

**Does the IEP address current/relevant behavioral concerns?**     Yes  No

**Has a Functional Behavioral Assessment (FBA) been conducted?**  Yes  No

**Is a Behavioral Intervention Plan (BIP) in place?**     Yes  No

**Does the BIP address the behavior?**     Yes  No

**Discussion to support decision:**

**Review of assessment data:**

Assessment results and evaluations:	Date of Administration

Are updated assessments needed?  Yes  No

If yes, specify:

Discussion to support decision:

Teacher input/observations:

Parent input:

Student input:

Other data/discussion to address the relationship between the student's disability and the behavior that resulted in removal:

**DRUGS, WEAPONS, SERIOUS BODILY INJURY ONLY**

Check this box only in cases where the Superintendent/designee has imposed a removal to the IAES for up to 45 days for drugs, weapons, or serious bodily injury.

**45 Day Removal to an Interim Alternative Education Setting (IAES):** *This section is completed by the IEP Team **after** the Superintendent/designee imposes a consequence of more than 10 consecutive days of suspension for a violation of drugs, weapons, or serious bodily injury.*

**For incidents involving weapons, drugs, or serious bodily injury the disciplinary action is determined unilaterally by the Superintendent/designee without regard to the manifestation determination; however, the IEP team must still conduct a manifestation determination.**

**Section III: Manifestation Determination:**

The IEP team considered the following two questions:

1) Was the behavior caused by, or had a direct and substantial relationship to, the student's disability? (Consider characteristics of the disability and whether the behavior occurs across time and settings.)

Yes  No

**Document basis for decision:**

2) Was the behavior a direct result of the school's failure to implement the IEP? (Consider all components of the IEP including the BIP.)

Yes  No

**Document basis for decision:**

If the IEP team answers "Yes" to either of the above questions, the behavior must be considered a manifestation of the student's disability.

**Is the behavior a manifestation of the student's disability?**  Yes  No

For a removal by the Superintendent/designee for drugs, weapons, or serious bodily injury, the student may be placed in the IAES regardless of the outcome of the manifestation determination. The outcome of the manifestation determination does not drive the placement decision.

#### **Section IV: Manifestation Follow-Up Actions When the Behavior is a Manifestation of the Student's Disability**

The school may follow regular disciplinary procedures but must continue to provide educational services for the provision of a free and appropriate public education (FAPE).

#### **Section IV: Manifestation Follow-Up Actions When the Behavior is Not a Manifestation of the Student's Disability**

If the IEP team answers "No" to both questions in Section III, the behavior is NOT a manifestation of the student's disability.

The school may follow regular disciplinary procedures but must continue to provide educational services for the provision of a free and appropriate public education (FAPE).

#### **Section IV: Manifestation Follow-Up Actions When the Behavior is a Manifestation of the Student's Disability**

**The IEP Team must consider the following actions:**

**Does the student have a Functional Behavioral Assessment (FBA)?**

- No. Conduct a FBA.
- Yes. Does the current FBA address this behavior? If it does not, conduct a FBA. To conduct a FBA, complete the Parental Consent for Evaluation or Reevaluation form and obtain the parent's signature for the FBA. Once the FBA has been completed, the IEP team must determine whether a Behavior Intervention Plan (BIP) needs to be developed.

**Does the student have a BIP?**

- No. Implement a BIP, if appropriate, after the completion of the FBA.
- Yes. Review the BIP and revise as necessary to address the behavior.

If the behavior is a manifestation of the student's disability, the student may not be given a disciplinary removal beyond 10 days in a school year. The student must return to the placement from which **{.he,she}** was removed.

**Document basis for decision(s):**

#### **Section IV: Manifestation Follow-Up Actions When the Behavior is Not a Manifestation of the Student's Disability**

If the IEP team answers "No" to both questions in Section III, the behavior is NOT a manifestation of the student's disability.

The school may follow regular disciplinary procedures but must continue to provide educational services for the provision of a free and appropriate public education (FAPE).

#### **Extended Suspension for More Than 10 Days in a School Year Recommended by the Principal:**

- The IEP team uses the Interim Alternative Education Setting IEP (IAES/IEP) form indicating the purpose of the extended suspension for more than 10 days in a school year.
- The IEP team must ensure the student receives services necessary to appropriately progress in the general curriculum and advance toward achieving the goals of the IEP during the removal determined by the Superintendent/designee.
- The IEP team considered a FBA or reviewed and revised, as appropriate, a BIP to address the behavior.

**Document basis for decision:**

**The IEP team must develop an Interim Alternative Education Setting IEP (IAES/IEP) indicating the purpose of 45 day IAES**

**(within the discussion box of the IAES IEP page 1) and the following:**

- The IEP team must identify the services necessary for the student to appropriately progress in the general curriculum and advance toward achieving the IEP goals during the removal.
- The IEP team determines the placement/location for the IAES based upon the recommendations of the Superintendent/designee and the student's IEP.
- The IEP team shall conduct, as appropriate, a FBA or review and revise a BIP to address the behavior and prevent a recurrence.

**Document basis for decision:**

**Section V: The following individuals attended the IEP Team meeting:**

Name	Position	Name	Position
	Administrator/Designee		
	Special Educator		
	General Educator		
	Parent/Guardian		
	Parent/Guardian		
	Student		

As parents of a child with disability, you are entitled to certain procedural safeguards as outlined in the brochure entitled "Parents Rights - Maryland Procedural Safeguard Notice." Your rights include the right to request mediation or file a due process complaint if you disagree with proposed and/or refused decision(s).