

# Kentucky Public School District Section 504 Manifestation Determination Review Form

District Name:

Student Name

Date of Birth

Date of 504 Team Meeting:

**Step 1:**

a. Describe the behavior(s) subject to disciplinary action if not fully explained on the attached disciplinary records

b. Describe proposed disciplinary action(s) under consideration.

**Step 2:**

The 504 team has considered, in terms of the behavior outlined in Step 1, all relevant information, including the following:

- Evaluation and diagnostic results,
- Relevant information supplied by the parents,
- Observation(s) of the student, and
- The student's current 504 plan.

**Step 3:**

1. The Team now determines:

- a. Was the conduct in question caused by, or did it have a direct and substantial relationship to, the child's disability?
- b. Was the conduct in question the direct result of the LEA's failure to implement the Section 504 plan?

2. The conduct shall be determined to be manifestation of the child's disability if the team determines that either of the conditions in subsection 1(a) or (b) of this section was met.

3. If the team determines the condition described in subsection 1(b) of this section was met, the \_\_\_\_\_ (District Name) shall take immediate steps to remedy that deficiency

**Step 4:**

- a. The 504 team finds the behavior in question IS NOT a manifestation of the student's disability, and the student may be subjected to the same disciplinary proceedings as a student without a disability.
- b. The 504 team finds the behavior in question IS a manifestation of the student's disability, and the student's placement cannot be changed due to the behavior incident under review, unless the parents and the LEA agree to a change in placement as part of the modification of the behavioral intervention plan.

\* This form was adapted from the KDE Manifestation Determination Review form for Special Education