



## Evans County School System Manifestation Determination Form

Student Name: J [REDACTED]

Date: 05/03/2019

**THIS MANIFESTATION DETERMINATION MUST OCCUR WITHIN 10 SCHOOL DAYS OF ANY DECISION TO CHANGE THE PLACEMENT OF A CHILD WITH A DISABILITY DUE TO A VIOLATION OF THE CODE OF CONDUCT.** The manifestation determination review is conducted by child's parent and the relevant members of the child's IEP Team, as determined by the parent and the school system. (NOTE: No manifestation determination review is required when a child is removed from his current placement for NOT MORE THAN 10 SCHOOL DAYS to an interim alternative educational setting (IAES), another setting or via suspension, and for additional removals of not more than 10 cumulative days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a pattern. Schools may make such short-term removals for violations of a code of student conduct to the extent that such alternative settings are also applied to students without disabilities. In addition, schools may remove a student to an IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability in cases where a child carries or possesses a weapon to or at school, on school premises or at a school function; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.)

### I. Description of the behavior incident that violated the code of conduct:

#### **Code of Conduct:**

Rule 20: Sexual misconduct or offense.

#### **Behavior Incident:**

Reported by

### II. Review of relevant information:

#### **Eligibility Data:**

[REDACTED] was eligible for the Emotional Behavior Disorder (EBD) on 09/08/2017. He continued to demonstrate behaviors associated with anxiety and continues to struggle with interpersonal relationships. Additionally, he focuses on the negative and consistently expects bad things to happen; these concerns often monopolize his thoughts. Assessment results indicate significant levels of anxiety and depression. He also carries diagnoses and takes medication for several conditions in which anxiety is often associated

#### **IEP/Services Data:**

On 03/07/2019, a meeting was held to discuss change of placement. [REDACTED] requests placement at SCA and the team determined SCA as placement. He is served consultatively for an hour per week.

#### **Previous Discipline:**

There are no discipline issues reported in PowerSchool or Educator's Handbook. Dr. Brown stated [REDACTED] commented twice about "She needs to be raped.", but said she did not know if he understood what he actually said. Dr. Brown spoke with [REDACTED] about his comments and notified his mom.



## Evans County School System Manifestation Determination Form

**Relevant Parent Information:**

██████████ asked if there was a class that could help ██████████ with his social dysfunctions. Mrs. Bardak stated we were going to discuss the need for a social skills class.

**Other:**

NA



## Evans County 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? Yes
- b) Is the conduct in question a direct result of the system's failure to implement the child's IEP? NO

**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

Tracy Bardak - Director of Sped  
Dr. Ruedell Brown - Principal  
[Redacted] - mother

Name & Title

[Redacted] - ~~teacher~~ Student  
Neth Lott - Special Edul Care Manager  
[Redacted] - Parent Member



## Evans County School System Manifestation Determination Form

### Manifestation Determination

Behavior was a manifestation of the student's disability

Behavior was NOT a manifestation of the student's disability

Change in Services/Placement

Request for FBA

Update BIP

Uphold ISS Days

Uphold OSS Days – time served

Other: Special Education Transportation