

Student's Name _____ IEPT Date _____

SECTION IIIA: BEHAVIOR REVIEW

Describe the behavior subject to disciplinary action: _____

1. Does the student have a behavior intervention plan (BIP)? YES NO
2. Has a functional behavior assessment been conducted? YES NO
- a. If "YES", when was the assessment conducted? _____
- b. Does this assessment need to be updated? YES NO
3. If no assessment has been completed, or if an assessment needs to be updated, identify below the necessary components of a functional behavior assessment for this student. Also identify the projected date for convening an IEP Team to review such an assessment and to consider developing/revising a BIP to address the student's behavior subject to discipline. IEP Team date _____
4. If an existing assessment is deemed appropriate, does the student's BIP need revision? YES NO
- If yes, complete any necessary revision and attach to this IEP Team report.

COMMENTS/ASSESSMENT COMPONENTS

SECTION IIIB: MANIFESTATION DETERMINATION

The IEP Team must review the following factors in relationship to the behavior subject to discipline:

- | | |
|--|--|
| <input type="checkbox"/> The most recent evaluations and diagnostic results. | <input type="checkbox"/> Relevant information supplied by the student's parents. |
| <input type="checkbox"/> Observations of the student. | <input type="checkbox"/> The student's most recent IEP dated _____ |
| <input type="checkbox"/> Discipline incident reports. | <input type="checkbox"/> The student's placement. |

Based on the above review, the following determinations are made:

1. In relationship to the behavior subject to discipline:
- a) Is the most recent IEP appropriate? YES NO
- b) Is the placement appropriate? YES NO
- c) Are the special education services, including supplemental aides and behavioral intervention strategies, if any, being provided consistent with the IEP/BIP? YES NO
2. The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to discipline. YES NO
3. The student's disability did not impair the ability of the student to control the behavior subject to discipline. YES NO

If the responses to all of the above determinations are "YES", then the behavior is not a manifestation of the disability. The student may be subjected to the same discipline procedures as would be applied to a student without a disability, except that the student must still receive educational services.

The behavior subject to disciplinary action was:

- Not a manifestation of disability; records forwarded for disciplinary consideration (educational services will be provided for the duration of the discipline pursuant to Section VI of this IEP).
- A manifestation of the disability; records forwarded for termination of disciplinary action.

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Both of these sections of the IEP are to be used in instances where the student is expected to receive a disciplinary suspension that constitutes a change in educational placement. This includes any single suspension exceeding 10 consecutive days or a series of suspensions that form a pattern of exclusion and exceed 10 school days in accumulation. Section IIIA: Behavioral review is used on two other occasions. It is used any time a student reached an 11th school day of suspension in the school year, whether or not such suspension constitutes a change in educational placement. It is also used whenever an IEP team meets to review/revise an existing BIP as a result of subsequent suspensions.

SECTION IIIA: BEHAVIORAL REVIEW

Question 3b:

The projected date for convening the IEP Team to review the completed assessments should be as soon as practicable.

It is possible for the IEP Team to review the functional behavioral assessment and conclude that a BIP is not necessary at this point in time. In effect, the IEP Team would be concluding that behavioral interventions/strategies beyond the school district's regular disciplinary procedures are not necessary or relevant for the behaviors under consideration.

SECTION IIIb: MANIFESTATION DETERMINATION

Question 1a-c:

Deficiencies in the IEP, the placement, or the implementation of the IEP/BIP that do not have a relationship to the behavior subject to discipline will need to be corrected. However, such deficiencies do not necessarily require that these questions be answered no. See "Guidelines for Implementation of Student Suspension/Expulsion Procedures" page 21, question 10.

Nonmanifestation of the disability

If the behavior subject to discipline is not found to be a manifestation of the student's disability, the student must continue to receive IEP Team determined educational services during the time period the disciplinary measures are to be in effect. Use Section VI of the IEPT report to identify the educational services. These educational services must keep the student progressing in the general curriculum and toward his/her IEP goals, but they do not have to necessarily be provided by special education personnel. The COMMENT section of the IEPT report should be used for services not identified in the chart.

Manifestation of the disability

If the behavior subject to discipline is determined to be a manifestation of the student's disability, i.e. one or more of the questions/statements are answered "NO", then the IEP Team should consider revising the most recent IEP to make any necessary modifications to address the student's behavioral needs.

45 calendar day interim alternative educational setting

IEP Teams can be directed to develop a 45-calendar day interim alternative educational setting if the student has been suspended for possession of drugs or weapons. The setting must be selected to enable the student's continued participation in the general curriculum and to provide the student with special education programs/services and any appropriate behavioral interventions.