

**Manifestation Determination Expulsion Procedures**

Principal request for expulsion of a student with disabilities requires a manifestation determination conference to determine whether the behavior is related to the disability or not.

1. Before requesting expulsion:
   1. Make sure individualized education plan (IEP) is current (within one (1) year from current date).
   2. Determine if there is a positive behavior intervention plan (PBIP).
   3. Ascertain whether all parties are aware of the PBIP plan and have implemented it.
   4. Keep a log of contacts with the parent concerning the behavior problems.
   5. Decide whether expulsion solves the problem or merely delays the resolution. There are some students who need to be expelled.
2. A manifestation determination case conference is an evaluative process used to determine if the behavior is related to the disability. Contact the director of special education to schedule the case conference within ten (10) instructional days of the student’s removal. Participants include:
   1. Building administrator
   2. Special education teacher
   3. General education teacher
   4. Parent(s)
   5. Student
   6. Director of special education or designee
3. Manifestation determination questions:
   1. Was the conduct in question caused by, or have a direct and substantial relationship to the student’s disability?
   2. Was the conduct in question a direct result of failure to implement the student’s individual education program?
4. If the behavior is related to the student’s disability the student may not be expelled. The case conference committee (CCC) must either:
   1. Conduct a functional behavioral assessment (FBA), unless one has been conducted within in three years, and implement a PBIP; or
   2. If a PBIP has already been developed, review the PBIP and modify, as necessary, to address the behavior; and
   3. If no FBA exists, conduct FBA and implement PBIP; or
   4. Revise and modify PBIP to address the behavior.
   5. Student is returned to placement unless parent and school agree to change of placement as part of the revision of the PBIP.
5. If the behavior is not related to the student’s disability the CCC will offer an alternative to expulsion through development of a new IEP. Written findings will be given to the parent and the superintendent. If the parent does not agree, they are directed to contact the director of student services who will discuss further options. The superintendent appoints an expulsion examiner to conduct expulsion proceedings if no alternative is agreed upon.