



Utah State Board of Education

SECTION 504 MANIFESTATION DETERMINATION REVIEW FORM

A FORM FOR LEAS TO ADAPT AND USE

August 2023

N.B. This form is not required. This form is for LEAs to adapt and use at their discretion. USBE does not assume responsibility on how these forms are adapted and used.

School District/Charter School Name

SECTION 504 MANIFESTATION DETERMINATION REVIEW

**Modeled on the IDEA*

Student: _____ School: _____

Date: _____ Student ID: _____ Grade: _____ Date of Birth: _____

Parent/Guardian Name(s): _____

A manifestation determination review (MDR) must be conducted when a disciplinary removal is contemplated that constitutes a significant change of placement. The 504 committee must consider and review, in terms of the behavior subject to disciplinary action, relevant information which may include: current evaluation data, information from parent(s)/guardian(s), observations of the child, current 504 plan, positive behavior support plan, and any other relevant information provided.

Committee Members	Area of Knowledge	Area of Knowledge	Area of Knowledge
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data
	<input type="checkbox"/> Student	<input type="checkbox"/> Placement Options	<input type="checkbox"/> Evaluation Data

Description of behavior subject to the disciplinary action:

Note: Section 504 allows schools to take disciplinary action against students with disabilities using drugs or alcohol to the same extent as students without disabilities. (ED.gov/OCR).

Student's impairment(s): _____

Observations (including witness/student statements)

Summary of Evaluation Data (including most recent evaluation)

Parent/Student Input

Summary of Student's Section 504 Plan (attach copy)

After review of the above information the committee must answer the following questions:

The conduct in question was caused by, or had a direct and substantial relationship to, the student's disability

- Yes
- No

The conduct in question was the direct result of the district/school's failure to implement the Section 504 Plan

- Yes
- No

Considerations (explain how the committee answered the questions above)

If either of the questions above are answered "YES", the behavior must be considered a manifestation of the student's disability. In that event, the student cannot be expelled or placed in the school's disciplinary alternative education setting (DAEP) for more than 10 school days.

A copy of the *Notice of Parent and Student Rights under Section 504 of the Rehabilitation Act of 1973* must be provided with a copy of this document to the parent.