

## **Guidelines for 504 Manifestation Hearing**

**Purpose:** To determine if the 504 student's action is a manifestation of his documented 504 disability (previously identified and documented mental or physical condition that substantially limits a major life activity).

**Attendees:** Attendees of a 504 Manifestation Hearing may include, but are not limited to Administrator(s); 504 Equity Coordinator; Guidance Counselor; School Nurse; School Psychologist; ESOL Representative; Parent(s)

### **Issues to Address/Discuss at the 504 Manifestation Hearing**

1. Describe the specific conduct/behavior for which the student is being considered for disciplinary action, including dates and relevant circumstances.
2. Provide sources of information considered (i.e. – assessments/diagnosis, records, direct observation, interviews, functional behavioral assessment, behavior plan)
3. Are the accommodations in the 504 plan appropriate as they relate to the current conduct/behavior?
4. Were the accommodations and services being provided at the time of the incident?
  - **If it is determined that the plan is not appropriate, then the discipline should not occur.**
  - **If it is determined that the plan is appropriate and being implemented, then proceed as follows:**
5. Did the disability impair the student's ability to understand the impact or consequences of the behavior?
6. Did the student's disability impair the student's ability to control the behavior?
  - **If "yes" is answered to either question #5 or #6, then the behavior is a manifestation of the student's disability, and the discipline should be withdrawn. The team should then make appropriate changes to the student's 504 plan.**
  - **If "no" is answered to both questions #5 and #6, then the behavior is not a manifestation of the student's disability, and discipline should be issued in the same manner as a non-disabled student.**