

Manifestation Determination

When a student enrolled in the ESE program receives disciplinary action, the IEP team meets to determine if the student's actions were a result of their disability. This is called a manifestation determination review (MDR).

Manifestation Determination

Before the IEP team meets, they will need to invite the parents to the meeting.

Steps *To invite the parents:*

- 1. Create an **IEP Meeting Notice**.
- 2. Enter the date.
- 3. Provide meeting details, including date, time, and location.
- 4. Select **Manifestation determination review** as the meeting purpose.
- 5. Fill out the rest of the document, including adding information about meeting participants.
- 6. Share the document with the parents.
- 7. The parents should indicate their plan to attend, enter the date, sign the document.
- 8. Once the parents have responded, enter the **Date District Received**.
- 9. Mark the document complete.

At the meeting, the IEP team should review all relevant information and make a manifestation determination.

Steps To conduct a Manifestation Determination Review:

- 1. Create a Manifestation Determination Review.
- 2. Enter the date.
- 3. Review all relevant information in the student's file, including their IEP.

- 4. Make a determination of whether the student's behavior was or was not a manifestation of their disability or if it was a direct result of the LEA's failure to implement the IEP.
 - If the behavior was not a manifestation or a result of the LEA's failure to implement the IEP, the school may take disciplinary action in the same manner they would for a student without disabilities.
 - If the behavior was a manifestation of their disability or a result of the LEA's failure to implement the IEP, the IEP team must take additional steps to address the issue:
 - Conduct a functional behavioral assessment (FBA) and implement a behavior intervention plan (BIP).
 - Review and modify the student's BIP if one already exists.
 - Remedy any deficiencies if the behavior was a result of the LEA failing to implement the IEP.
- 5. Fill out the rest of the document and add signatures.
- 6. Mark the document complete.