

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.