samegoal

Manifestation Determination Review

When a student enrolled in Special Education receives a disciplinary change of placement, a review must be conducted within 10 school days of the disciplinary action to determine if the behavior was a result of the student's disability.

Conduct a Manifestation Determination Review

1. Send an **Invitation to Participate in the IEP Team Meeting or Other Meeting** to the parents.
    - For the purpose of the meeting, you can select **Other** and indicate it is for a manifestation determination review or to discuss disciplinary matters.
2. Create a **Manifestation Determination Worksheet**.
3. Provide background information and review all relevant information in the student's file.
    - This includes the student's IEP. You may amend the IEP in order to document the review.
4. Make a determination about whether or not the conduct in question was:
    - Caused by the student's disability or had a direct and substantial relationship to the student's disability.
    - The direct result of the LEA's failure to implement the IEP.
5. Make a determination about whether or not the behavior was a manifestation of the student's disability.
    - If the answer to either is **Yes**, the behavior must be considered a manifestation.
6. Have the parent sign the document.
7. Mark the document complete.

If the behavior was not a manifestation of the student's disability, the LEA can apply relevant disciplinary action as they would for a student without disabilities.

If the behavior was a manifestation of the student's disability, the LEA must conduct a Functional Behavior Assessment (FBA) and develop a Positive Behavior Support Plan (PBIP), or review the existing PBIP and modify it as needed if the student already has one.