

XXX Public Schools
MANIFESTATION DETERMINATION
Meeting Summary and Worksheet (internal use)

Note: This worksheet is intended to assist the team in completing a manifestation determination and the Manifestation Determination form. It is not intended to replace the Manifestation Determination form.

Student Name: _____ Date: _____

School: _____ Grade: _____

DOB: _____ Disability: _____

Date of manifestation determination: _____

Team members present:

- Date of the incident that gave rise to the suspension: _____
- Number of days student had been suspended this school year prior to this incident: _____
- Number of days of suspension for this incident: _____

It is not the purpose of a manifestation determination to decide if the student did what he/she is accused of doing or to decide what the student's punishment should be. The team's task is to determine whether there is a causal relationship between the behavior for which the student was suspended and the student's disability.

BACKGROUND FOR STEP 1

- Review the student's placement and the student's IEP service delivery and goals. Was the student receiving all the services set forth in the student's IEP?
- Review the behavioral history of the student.
- Review the incident that gave rise to the student's suspension. What preceded the incident? What was the student's role in the incident? What steps could or should have been taken to avoid the incident, and by whom?
- Does the student have a behavior intervention plan? Was it being followed?
- Do the parents have other information the team should know about the student's current functioning?

XXX Public Schools
MANIFESTATION DETERMINATION
Meeting Summary and Worksheet (internal use)

BACKGROUND FOR STEP 2

Answer question 1: “Was the conduct in question caused by, or did it have a direct and substantial relationship to, the student’s disability?” The following additional considerations may be helpful:

- Was the behavior that gave rise to this suspension ever a concern previously for this student?

- Was the discussion of the behavior included in the student’s evaluation and disability determination?

- Was the behavior addressed in the IEP and/or BIP?

Answer question 2: “Was the conduct in question the direct result of the district’s failure to implement the student’s IEP?”

- If the team has determined that the student was receiving all the services set forth in the student’s IEP, and the BIP, if any, was being followed, then the answer to question 2 is “no.”
- If the student’s IEP was not being fully implemented, however, then the team must determine whether that failure contributed to the conduct that gave rise to the suspension. The team should consider:
 - If the IEP had been fully implemented, could the conduct that gave rise to the suspension still have occurred?

 - If the IEP had been fully implemented, would the conduct have been less likely?
- Once the team has answered both questions in Step 2, check the box indicating whether the behavior is or is not a manifestation of the student’s disability. (If either answer is “yes,” then the behavior is a manifestation of the student’s disability.)
- If the behavior is a manifestation of the student’s disability, then the student must return to the suspending school after his/her suspension unless an administrative transfer has been arranged, or unless special circumstances (weapons, drugs, or serious bodily injury) are involved and the school has been notified that an alternative placement has been arranged.