

REPORT OF IEP TEAM MANIFESTATION DETERMINATION MEETING

Expulsion proceedings are pending against:

Student: _____ Date of Birth: _____

This is a report of manifestation determination IEP meeting held by the IEP team:

Meeting Date: _____ Meeting Time: _____

Location: _____

The scribe for this meeting was: _____

The IEP Team chair for this meeting was: _____

Those attending this meeting were:

Name	Title
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

1. Notification: Written notification of this IEP Team meeting was provided to the student's parent(s)/ guardian(s) by:

Certified U.S. Mail by _____ on _____

Personal delivery by _____ on _____

Other (specify): _____

2. Procedural rights and safeguards: Parent(s)/guardian(s) hereby acknowledges receipt of a copy of the procedural rights and safeguards.

Parent/Guardian Signature(s): _____

Signature of Administrator providing copy of rights: _____

3. Expulsion hearing information (if applicable):

An expulsion hearing has not yet been set.

An expulsion hearing has been set as follows:

Date: _____ Time: _____

Place: _____

4. School identification information:

Prior to disciplinary proceedings, the student attended school at: _____

Student is still attending his most recent educational placement.

Since (date) _____, student is now attending school at _____

Student is not attending school because:

home study since _____

hospitalized since _____

at _____

other (specify): _____

5. Description of student's disability:

Has student previously been identified as having a disability(ies)? No Yes

If yes: ▪ Date of the last eligibility assessment completed: _____

▪ What is the student's disability(ies)?

If no, did the LEA have knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred based on any of the follow?

No Yes 1) The parent of the child expressed concern in writing to supervisory or administrative personnel of the LEA, or a teacher of the child, that the child was in need of special education and related services;

No Yes 2) The parent of the child requested an evaluation of the child pursuant to Section 300.300 through Section 300.311; or

No Yes 3) The teacher of the child, or other personnel of the LEA, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the LEA or to other supervisory personnel of the LEA.

▪ If the answer is "yes" to 1), 2) or 3), what is the suspected disability/disabilities?

6. Manifestation Determination:

a. In terms of the behavior that is the subject of disciplinary action, the IEP Team must consider all relevant information including the following:

1) Behavior that is the subject of disciplinary proceedings, summarized as follows:

No Yes Copies of available police or school reports describing the behavior were reviewed by each IEP team member at this meeting.

No Yes An oral report describing the behavior was provided to each IEP team member at this meeting by the person making the expulsion recommendation or his or her designee. Person giving report: _____

No Yes Other written or oral reports describing the behavior were provided to each IEP team member as follows: _____
(specify): _____

2) Any evaluation or diagnostic results, including the results or other relevant information supplied by the parents/guardians of the child;

3) Teacher observations of the student, as follows:

4) Information supplied by parents/guardians as follows:

5) The student's prior disciplinary record.

6) The student's relevant grade or progress reports.

7) The student's relevant attendance record.

8) The student's last agreed upon annual IEP (with any agreed upon amendments) and placement.

9) The student's past IEPs that document similar behavior by student.

10) The student's health records.

11) Any Behavioral Support Plan (BSP) or Behavior Intervention Plan (BIP) in effect at the time the behavior at issue occurred.

12) The nature and extent of the student's disability.

13) Other (specify): _____

b. The IEP Team must consider whether the student's behavior was caused by, or a direct manifestation of, the student's identified disability, and make the following determinations:

1) Was the student's conduct caused by, or did it have a direct and substantial relationship to, the child's disability? or

2) Was the student's conduct the direct result of the school district's failure to implement the IEP?

IF THE ANSWER IS "YES" TO EITHER b(1) OR b(2), THE BEHAVIOR MUST BE CONSIDERED A MANIFESTATION OF THE STUDENT'S DISABILITY.

7. Results of the manifestation determination by IEP Team:

The student's conduct was caused by, or had a direct and substantial relationship to, the child's disability; or

The student's conduct was the direct result of the district's failure to implement the IEP?

DECISION:

YES: The incident is a manifestation of the student's disability:

NO EXPULSION HEARING CAN BE HELD

NO: The incident is not a manifestation of the student's disability:

THE DISTRICT CAN PROCEED TO AN EXPULSION HEARING

8. IF THE STUDENT'S BEHAVIOR IS A MANIFESTATION OF THE STUDENT'S DISABILITY, THE IEP TEAM MUST:

Consider the appropriateness of the student's IEP and placement at the time of occurrence of the behavior that is the subject of disciplinary proceedings and make the following determinations:

1) Was an IEP in place when behavior occurred? No Yes

If yes, what was the date of that annual IEP (any addenda)?

2) Was the IEP current? No Yes

3) What part of the IEP, if any, was not implemented?

4) Was there a BSP or BIP when the behavior occurred? No Yes

If yes, the BSP or BIP must be reviewed and modified to address the behavior that is the subject of the manifestation determination meeting. Check if done.

If no, the FBA must be done and a BSP must be written and implemented to address the behavior that is the subject of the manifestation determination meeting. Check if done.

NOW THE IEP TEAM MUST TAKE IMMEDIATE STEPS TO REMEDY ANY DEFICIENCIES IN THE IEP PLAN.

The person responsible for coordinating the immediate steps to remedy any deficiency in the IEP, placement, or implementation of the IEP, or services is:

9. Written notification of the IEP team's decision was provided to the student's parent(s)/guardian(s) by:

Regular U.S. Mail by _____ on _____

Certified U.S. Mail by _____ on _____

Personal delivery by _____ on _____

Other (specify): _____

10. IF THE STUDENT'S BEHAVIOR IS NOT A MANIFESTATION OF THE STUDENT'S DISABILITY, THE IEP TEAM MUST:

Consider the extent of educational services necessary during expulsion to enable Student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in Student's IEP, as follows:

a. At the time the behavior occurred, Student's IEP set forth the following goals and objectives:

[] attached, or

[] listed here:

b. At the time the behavior occurred, Student was receiving the following services:

1) Regular Curriculum Courses and Electives:

Subject	Gen Ed Course	Spec Ed Course	Quantity (Freq/Duration)
_____	[]	[]	_____
_____	[]	[]	_____
_____	[]	[]	_____
_____	[]	[]	_____

2) Special Education Services, Supplementary Aids and Services:

Describe Each Service	Quantity (Freq/Duration)
_____	_____
_____	_____
_____	_____

c. The IEP team determines that the following services are necessary during expulsion for Student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP. (The IEP team determines the services that are necessary; if Student is expelled, the expulsion hearing body will determine the site at which services are to be delivered.) The IEP team must also determine and document the positive behavior supports that will be implemented to ensure that the behavior violation does not recur.

Identify Each Course, Service or Election	Gen Ed Course	Spec Ed Course	Quantity (Freq/Duration)
_____	[]	[]	_____
_____	[]	[]	_____
_____	[]	[]	_____
_____	[]	[]	_____

d. Where will the services be provided to Student? (This is the interim alternative educational setting.)

[] No [] Yes 1) The above-described services have already been implemented pending an expulsion hearing.

2) If not yet fully implemented, the person responsible for coordinating implementation of the above-described services: _____

e. If appropriate, the IEP team must conduct an FBA and implement behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

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Signature Section

Administrator/Designee Date

Speech & Language Pathologist Date

Special Education Teacher Date

School Psychologist Date

Regular Education Teacher Date

Additional Participant Date

School District/Representative Date

Additional Participant Date

General Education Teacher Date

Additional Participant Date

Additional Participant Date

Interpreter Date