

WENATCHEE SCHOOL DISTRICT
Special Education Department
MANIFESTATION DETERMINATION

Date of Meeting: _____ Date of Notice to Parent: _____

Name of Student: _____ Date of Birth: _____

IDEA Eligibility Category: _____ Date of Behavior Incident: _____

Description of conduct including facts and circumstances leading up to the act of misconduct and conduct after the incident:

Summary of Hypothesis Statement (FBA): _____

The IEP Team determines whether the behavior subject too discipline was a manifestation of the child's disability.

The IEP Team discussed the following records:

- | YES | NO | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Initial disability evaluations |
| <input type="checkbox"/> | <input type="checkbox"/> | Additional disability evaluations |
| <input type="checkbox"/> | <input type="checkbox"/> | Individual specialist' reports |
| <input type="checkbox"/> | <input type="checkbox"/> | Prior FBAs and MDs |
| <input type="checkbox"/> | <input type="checkbox"/> | Information provided by the parent, including observations of the child. |
| <input type="checkbox"/> | <input type="checkbox"/> | Teacher observations and anecdotal records of behavior and documentation |
| <input type="checkbox"/> | <input type="checkbox"/> | Cumulative history of behavior and disciplinary incidents |
| <input type="checkbox"/> | <input type="checkbox"/> | The context in which the behavior occurred |
| <input type="checkbox"/> | <input type="checkbox"/> | Student interviews and observations, if appropriate |

CONCLUSIONS OF THE IEP TEAM MEETING

In the relationship to the behavior subject to disciplinary action, the team decided that:

- | YES | NO | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | The current evaluations were adequate. If no, identify the evaluations needed.
_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | The child's IEP and placement were appropriate |
| <input type="checkbox"/> | <input type="checkbox"/> | The special education services, supplementary aids and services were provided. |
| <input type="checkbox"/> | <input type="checkbox"/> | The behavior intervention strategies were provided consistent with the child's IEP and placement. |

The child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to disciplinary action (did the student know that there would be consequences for the manifestation).

The child's disability did not impair the ability of the child to control the behavior subject to disciplinary action. (Was the behavior under the student's control?)

IF THE TEAM ANSWERS "NO" TO ANY QUESTION ABOVE, THEN THE BEHAVIOR IS A MANIFESTATION OF THE STUDENT'S DISABILITY.

The IEP Team concludes that the above described behavioral incident: (check the team's conclusion)

WAS A MANIFESTATION OF THE CHILD'S DISABILITY

WAS NOT A MANIFESTATION OF THE CHILD'S DISABILITY

DETERMINATION OF ACTION NEEDED

As a result of this assessment, the following action will be taken:

- Behavior Plan is needed.
- Behavior is adequately addressed in the IEP
- Current Behavior Plan needs to be modified
- The IEP needs to be changed

Signature of an individual indicates that the person attended the IEP meeting. Any participant who disagrees with the determination made by the IEP team may submit a dissenting report which will be attached.

Parent: _____

Special Education Teacher: _____

Regular Education Teacher: _____

District Administrator: _____

Person Knowledgeable about Disability: _____

School Psychologist: _____

Other: _____

If the parent disagrees with the IEP team manifestation decision, the parent may request an expedited due process hearing from the State Superintendent of Public Instruction.

To avoid possible loss of reimbursement of attorney fees if the parents prevail at a due process hearing, the parents are required to notify the school district that they intend to request a due process hearing. Notice to the district shall identify the child, state the reason the parent disagrees with the decision of the IEP team and the parent's proposed resolution of the disagreement.