

ANCHORAGE SCHOOL DISTRICT
SPECIAL EDUCATION

MEMORANDUM

SEPTEMBER 7, 2005

TO: SPECIAL EDUCATION AND RELATED SERVICES
ADMINISTRATORS, STAFF AND TEACHERS

FROM: JERRY SJOLANDER, EXECUTIVE DIRECTOR
SPECIAL EDUCATION

RE: MANIFESTATION DETERMINATION PROCEDURES

When do you conduct a manifestation determination?

A manifestation determination review must be conducted by the IEP Team and other qualified personnel as soon as possible, but not later than 10 school days after the **earlier** of the following dates:

The date on which a decision was made to recommend a change in placement;
or
The date a disciplinary placement change actually occurred.

What is a manifestation determination meeting?

A manifestation determination reviews the relationship between the child's disability and the child's behavior that is subject to the disciplinary action.

What is the process for manifestation determination?

The IEP Team may determine that a child's behavior was a manifestation of the child's disability only if the team:

1. First considers, in terms of the behavior subject to disciplinary action, all relevant information, including: evaluation and diagnostic results, and relevant information supplied by the parent or guardian of the child, and the child as appropriate; observations of the child; and the child's IEP and placement.
2. **AND** then determines that:
 - a. the conduct in question was caused by and had a direct and substantial relationship to the child's disability; **OR**
 - b. the conduct in question was the direct result of the school district's failure to implement the child's IEP.

What happens after manifestation determination?

If it is determined, after conducting a manifestation determination, that the child's behavior was not a manifestation of the child's disability:

- a. the same disciplinary procedures applicable to a child without a disability, including long-term suspension or expulsion, may be applied to the child with disabilities.
- b. services must be provided to the extent necessary to enable the child with a disability to appropriately progress in the general education curriculum and advance towards achieving his or her IEP goals. The nature and extent of these services must be determined by the IEP Team.

If it is determined that the child's behavior was a manifestation of his or her disability, then the child may not be removed for more than ten consecutive days:

- a. the Team conducts a functional behavioral assessment unless the Team (or another IEP Team) has conducted a functional behavior assessment prior to conduct occurring and had implement a positive behavior support plan
- b. if a behavioral support plan is already in place, review the plan and modify it as necessary to address the behavior
- c. the child returns to the placement from which he was removed unless the IEP Team, with parental consent, changes the child's placement.