

Sample Written Notice – Manifestation Determination #1

1. Description and explanation of proposed/refused action:

Manifestation determination

IEP team determined that Student's misconduct on [date] was not a manifestation of her disability. She will be suspended for 5 days which will bring her cumulative suspension day total to 12.

2. Reason for proposed or refused action:

Student's eligibility for special education is under the category of Other Health Impairment due to Attention Deficit Hyperactivity Disorder. It was determined that this disability did not have a direct or substantial relationship to the behavior. It was also determined that there was not a failure to implement the IEP or the behavior plan.

3. Description of evaluation procedure, test, record, or report used in deciding to propose or refuse action:

Sources of information reviewed included Functional Behavior Assessment, Behavior Intervention Plan, evaluations, observations, historical records, current IEP, and parental feedback.

4. Description of other options considered, if any, and the reason for rejecting them:

No other options were considered or rejected

5. Other factors which are relevant to the proposal or refusal:

The behavior plan and IEP were reviewed and revised to continue to meet Student's behavioral needs. Student will be provided with academic work during her suspension. [If an alternative educational setting is provided / proposed, list that here – such as afterschool time with a teacher for instruction, etc.]

Parent & Team agree to:

Proposed suspension