

MANIFESTATION Determination



In New Jersey,

A Manifestation Determination Meeting is held for students with disabilities facing discipline to decide if their behavior was a result of their disability or the school's failure to follow their IEP.

This process protects students' rights under Federal Law (IDEA/Section 504).



Key Aspects

Held within 10 days of a long term suspension, expulsion, or change in placement for a student with an IEP or 504.

Who Attends

Parents

The IEP Team

Student

Relevant Staff

Advocates

Questions

1. Was the behavior caused by, or directly related to, the child's disability?
2. Was the behavior the result of the district's failure to implement the student's IEP?



What Happens

The team reviews the student's file, IEP, teacher observations, and parent input to answer the questions above. If the behavior is linked to the disability, the focus shifts to what supports and services are needed



Outcome

If Yes to Either Question

The behavior is a manifestation. Discipline must stop, the child returns to their original placement (unless drug/weapon offense), and the team develops/reviews their behavior plan.

If No to Both

The behavior is not a manifestation. The school can proceed with discipline as if the student didn't have a disability, but the student still has rights to a hearing.