



Fairfax County Public Schools Manifestation Determination Review MDR Decision

Date:	Re:	ID No.	School:
-------	-----	--------	---------

Your child, _____, was

- referred to the Division Superintendent (which could result in a long-term suspension, reassignment, or a recommendation for expulsion being forwarded to the School Board).
- recommended for exclusion.
- recommended for reassignment.
- removed or suspended for cumulative suspensions this school year in excess of 10 days.

As required by federal and state regulations governing special education programs, Fairfax County Public Schools (FCPS) must hold a manifestation determination review (MDR). The purpose of this review is to assess the relationship between your child's disability(ies), _____ and the conduct subject to the disciplinary action.

The alleged conduct resulting in this review is _____

Review the following information:

- Incident Report
- Current IEP
- Parent Information
- Most recent eligibility reports, assessments, observations
- Functional Behavioral Assessment and/or Behavioral Intervention Plan
- Other Information _____

Consider all written and oral data presented in order to answer:

YES NO

- The conduct was caused by or had a direct and substantial relationship to the child's disability(ies)?
- The conduct was a direct result of the school division's failure to implement the IEP?

If either question above is answered "yes," then the determination is the conduct is a manifestation.

IEP Team Determination

- The conduct subject to disciplinary action **is** a manifestation of the student's disability.
Because the conduct **is** a manifestation of the student's disability, the IEP team **must** conduct a functional behavioral assessment (FBA) and a behavioral intervention plan (BIP) or if a BIP was previously developed, it must be reviewed and modified as needed to address the behavior.
- The conduct subject to disciplinary action **is not** a manifestation of the student's disability.
Even though the conduct **is not** a manifestation of the student's disability, the IEP team should consider whether to conduct an FBA/BIP.

Decision Rationale:

If the MDR is a result of a referral to the Division Superintendent, or a recommendation for exclusion or reassignment, this determination will be forwarded to the Superintendent's Hearing Officer for consideration of further disciplinary action.

A copy of *Virginia Special Education Procedural Safeguard Requirements Under the Individuals with Disabilities Education Act* was provided to you prior to this meeting. If you have questions, or if you desire assistance in understanding the provisions of these procedural safeguards, please contact the Due Process & Eligibility Section at 571-423-4470.