

# Manifestation of Determination Review: Tips for Caregivers

This tip sheet is designed to help families develop a better understanding of a Manifestation of Determination Review (MDR).

<p><b>Purpose of MDR?</b></p>	<p>An MDR is an additional safeguard available to students with disabilities to ensure that they are not disciplined for behavior that is caused by or substantially related to their disability or for behavior that is the result of the school district's failure to implement their individualized education program.</p>
<p><b>When to conduct an MDR</b></p>	<p>School districts must convene an MDR prior to implementing discipline against a student with a disability that would result in a "change of placement." A change of placement occurs when:</p> <ol style="list-style-type: none"> <li>1. The student has been removed for more than 10 school days in a row.</li> <li>2. The student has several removals which are part of a pattern of behavior.             <ol style="list-style-type: none"> <li>a. The student's removals total more than 10 school days during the current academic year.</li> <li>b. There is a repeated behavior that is identified in similar discipline violations for the student.</li> <li>c. Additional reasons such as: length of each removal, total amount of time child has been removed, and closeness of removals to one another.</li> </ol> </li> </ol> <p><i>It should be noted that short-term removals (i.e., removals from the classroom, being sent to the office, etc.) <u>do not count</u> towards the 10 days.</i></p>
<p><b>When should you be contacted for an MDR?</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Parents must be notified at least 24 hours prior to an MDR meeting, and no later than 10 school days following the incident to conduct a MDR.</li> <li><input type="checkbox"/> School districts must convene an MDR prior to implementing the 11th day of a suspension or expulsion.             <ul style="list-style-type: none"> <li>» Can be conducted as soon as 24 hours following the incident in question</li> <li>» Must be held within 10 school days of the incident</li> </ul> </li> </ul>
<p><b>What is a student's "placement"?</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Educational placement is identified as the special education services the student receives, not the location of the services.</li> <li><input type="checkbox"/> Change of placement can include In-School Suspension, Out-School-Suspension, and/or placement in an alternative setting</li> </ul>
<p><b>Resources</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> <a href="http://www.parentcenterhub.org/manifestation/">www.parentcenterhub.org/manifestation/</a></li> <li><input type="checkbox"/> <a href="http://www.parentcenterhub.org/disciplineregs">www.parentcenterhub.org/disciplineregs</a></li> </ul>

This tip sheet series was developed by TRIAD consultants and was made available at no cost through the Tennessee Department of Education, Tennessee Technical Assistance Network. [Triad.vumc.org/schools](http://Triad.vumc.org/schools).