

Manifestation Determination Review (MDR)

An MDR is an evaluation of a student's misconduct to determine whether the misconduct is caused by or substantially related to the student's disability. An MDR must be performed when a local education agency proposes disciplinary measures that will result in a change of placement for a student with a disability.

This document is intended to be used with the MDR File Review and Interview Form to support school staff and educators in preparing for MDR meetings.

<p>Who should attend an MDR?</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Parent <input type="checkbox"/> A representative of the LEA <input type="checkbox"/> Relevant members of the student's IEP team as determined by the parent and LEA (e.g., general or special education teachers, school psychologist, related service providers, etc.)
<p>Factors to Consider During MDR</p>	<ul style="list-style-type: none"> <input type="checkbox"/> What is the behavior that prompted the suspension/expulsion? <ul style="list-style-type: none"> » Describe the behavior that occurred. » Include reports and statements from individuals or witnesses involved. » Was the behavior premeditated or impulsive? <input type="checkbox"/> What is the student's disability? <ul style="list-style-type: none"> » Does the student have the ability to understand impact and consequences? » Has the student been given information regarding school rules? » Identify the characteristics of the student's disability(ies), and/or the characteristics that have been exhibited by the student in the past. <input type="checkbox"/> What does the educational programming for the student include? <ul style="list-style-type: none"> » Identify current service levels. » Identify how academic and/or behavioral goals are being implemented. » Is there a goal regarding behavior of concern?
<p>Special considerations if the determined behavior <u>IS</u> a manifestation of the student's disability</p>	<ul style="list-style-type: none"> <input type="checkbox"/> What additional support is needed for this student? <ul style="list-style-type: none"> » Is there a need to increase supports? » Should goals be modified or added? <input type="checkbox"/> Does the IEP need to be modified? <ul style="list-style-type: none"> » Are there goals addressing the behavior(s) of concern? » If reoccurring, is the behavior of concern reflected in the present levels of the IEP? <input type="checkbox"/> A Functional Behavior Assessment (FBA) must be completed.

<p style="text-align: center;">Unidentified Students</p>	<ul style="list-style-type: none"> ❑ LEAs must conduct MDRs for unidentified students if: <ul style="list-style-type: none"> » the student’s parents identified concerns in writing to the school team or the student’s teacher identified concerns for additional testing. » the student’s parent had requested an evaluation. » the student’s teacher or other school personnel expressed specific concerns about a pattern of behavior. ❑ LEAs are not required to conduct MDRs for unidentified students if: <ul style="list-style-type: none"> » the student was referred for an initial evaluation, but the student’s parent did not provide consent to conduct an initial evaluation. » the student was determined eligible, but the student’s parent did not provide consent for the initial provision of services. » the school team evaluated the student and determined the student was ineligible for special education and related services.
<p style="text-align: center;">Helpful Reminders</p>	<ul style="list-style-type: none"> ❑ Parents must be provided at least 24 hours notice prior to holding the MDR. ❑ The MDR must be conducted within 10 school days of the incident. ❑ Prior written notice should discuss the outcomes of the MDR, specially detailing how the team reached the conclusion. ❑ Prior written notice should discuss if additional supports, testing, or services were considered and the outcome.
<p style="text-align: center;">Resources</p>	<p>Check out TRIAD tips and resources below and at: triad.vumc.org/behavior-services.</p> <p>Manifestation Determination:</p> <ul style="list-style-type: none"> ❑ Manifestation Determination Interview form ❑ Manifestation Determination File Review ❑ Manifestation Determination File Review Example ❑ Manifestation Determination File Review Example without a BIP ❑ Best Practices in Manifestation Determination Reviews Video