

Manifestation Determination Review (MDR) Instructions and Information

Important Dates

Indicate the date the MDR meeting is convened. An MDR must be convened within 10 school days of any decision which results in a *change of placement* for the student for disciplinary removals. For purposes of disciplinary procedures, a *change of placement* occurs when either a) the student is removed for more than 10 consecutive days, or b) the student has been subjected to a series of removals that constitute a pattern.

Indicate the date the removal was issued and the date of the most recent IEP meeting.

Demographic Information

Indicate the student's demographic information.

Participants

The MDR team includes a representative of the district, the parent, the student (if appropriate), and any relevant members of the IEP team. Participants sign on the appropriate line.

Section I

Describe in detail the behavior subject to the disciplinary removal and include the date the removal was issued.

Section II

The team must conduct a thorough review of all of the information listed in this section. Check each box indicating that the team has met this requirement. The review must include enough detail to enable the team to answer the questions in Section III. Summarize the key points of the review on the lines provided.

Section III

This section includes two statements that the MDR team must consider in determining if the behavior in question is a manifestation of the student's disability. The first statement looks at the relationship between the student's disability and how it may interact with the behavior subject to the discipline. The second statement looks at the current IEP to determine if all components of the IEP were implemented, and if not, did the lack of implementation have an impact on the behavior subject to discipline. The team must respond to both statements. Document the MDR team's decision regarding the two statements by checking the appropriate boxes. Then provide the rationale for the team's decision by responding to the prompts included.

If the determination of the team is "yes" to either of the statements, then the behavior must be considered a manifestation of the student's disability, and the student returns to the previous placement (except in special circumstances or if the parent elects to agree to a change in placement).

Section IV

Based on the team's determination, check the appropriate box to indicate whether the behavior subject to the discipline is "**not a manifestation of the disability**" or is "**a manifestation of the disability**".

If the determination is "**not a manifestation of the disability**"-

- The student is subject to general education disciplinary procedures.
- For additional days of removal following the MDR, services must be determined by the IEPT and are documented on the Interim Alternative Educational Setting (IAES) form.
- A functional behavioral assessment (FBA)/behavior intervention plan (BIP) must be developed /reviewed if the IEPT determines it to be appropriate.

If the determination is "**a manifestation of the disability**"-

- A FBA/BIP must be developed/reviewed.
- The disciplinary action must be terminated and the student reinstated into his/her school placement. Exceptions:
 - **Special circumstances-** (see below) necessitate a 45 day interim alternative educational setting in which case services must be determined by the IEPT and are documented on the IAES form.
 - **Parent and school district agree to a change in placement-** in which case an IEPT meeting must be convened.

Upon conclusion of the MDR, provide the parents with a copy of the MDR form.

A *Change of Placement* occurs in one of two situations:

1. The removal is for more than 10 consecutive days; or
2. The student has been subjected to a series of removals that constitute a pattern.

Special Circumstances include situations in which the student:

1. Carries or possesses a weapon
2. Knowingly possesses/uses illegal drugs or sells/solicits the sale of a controlled substance; or
3. Inflicts serious bodily injury upon another person