

Manifestation Determination Review (MDR)

Special Education Students

Manifestation Determination Review (MDR)

A Manifestation Determination Review (MDR) meeting must take place when a special education student is facing a suspension or expulsion for more than 10 school days in the same school year.

It is a meeting where the school district, the parent, and relevant members of the student's Individualized Education Program (IEP) team (determined by the parent and the school district) decide if the student's behavior is related to their disability.

Code of Federal Regulations 34 CFR 300.530 (e) (f)

Washington Administrative Code WAC 392-172A-05146

What happens in the Manifestation Determination Review (MDR) meeting?

The Manifestation Determination Review (MDR) team must consider any information the parents bring to the meeting (outside evaluations, doctors notes, information about the student's disability, etc.) and school district documents (Individualized Education Program (IEP), evaluation documents, observations of the student, school district staff input of the behavior in question, etc.)

Two questions must be answered.

1. Was the conduct in question caused by, or have a direct and substantial relationship to the student's disability?
2. Was the conduct in question a direct result of the district's failure to implement the student's IEP?

When does the Manifestation Determination Review (MDR) meeting have to take place?

Immediately if possible or within ten (10) school days after the school district decides to change the placement of the student.

Is the parent a part of the Manifestation Determination Review (MDR) meeting?

Absolutely! The parent is an important member of the student's Individualized Education Program (IEP) and the school district must include the parent.

Who else should be a part of the Manifestation Determination Review (MDR) meeting?

All relevant members of the student's Individualized Education Program (IEP) team (as determined by the parent and the school district). This would mean that not all Individualized Education Program (IEP) team members need to be present, however the parents do have a say in who.

Washington Administrative Code WAC 392-172A-03095

What happens then?

If the answer to any of the two (2) questions is yes, the student must be allowed to return to the educational placement they were in prior to the disciplinary removal **unless** special circumstances exist, or the parent and the school district agree otherwise.

Washington Administrative Code WAC 392-172A-05149

Does anything else have to happen if it is determined the student's disability was a direct cause of the behavior in question?

Yes. A Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) must be done.

If a Behavior Plan is already in place, it is to be reviewed and modified to address the student's behavior.

Washington Administrative Code WAC 392-172A-05147

What happens if it is determined there is no relationship between the student's behavior and their disability?

All normal disciplinary procedures are followed however the school district must still provide educational services even though it may be in an Interim Alternative Educational Setting (IAES).

Washington Administrative Code WAC 392-172A-05148