

MANIFESTATION DETERMINATION REVIEW (MDR) FORM

Local Educational Agency (LEA) _____

Student's Full Name _____

School _____

Parent(s)/Guardian(s) _____

Address _____

City/State/Zip _____

Date Suspension Determined _____

Date of Birth _____

Grade _____

WVEIS# _____

Telephone _____

A MDR was conducted on: _____ (Must be within 10 school days of the determination.)

Section 1: The MDR team reviewed the following documentation (Check all that apply):

- | | | |
|--|--|---|
| ☐ *Incident Report | ☐ *IEP | ☐ *Discipline Record |
| ☐ *Parent Information | ☐ *Attendance Report | ☐ Progress Report |
| ☐ †Functional Behavior Assessment (FBA) | ☐ †Behavior Intervention Plan (BIP) | ☐ Student Schedule |
| ☐ Other _____ | | ☐ Evaluation Information |

*Required documentation

†Required if the student has an FBA or BIP

Section 2: After reviewing the above documentation, the team must respond to the following statements:

- ☐ **Yes** ☐ **No** Was the conduct in question caused by or had a direct and substantial relationship to the student's disability(ies)? **Consider all components of the IEP and other relevant documents including but not limited to risk/threat assessments, evaluations, FBA/BIP, and health plan.**
- ☐ **Yes** ☐ **No** Was the conduct in question a direct result of the LEA's failure to implement the student's IEP, including the BIP (if applicable)?

If the team responds "Yes" to either statement, the conduct is a manifestation of the student's disability(ies) and the team must:

1. Conduct an FBA, unless an FBA was conducted before the behavior which resulted in the change of placement occurred;
2. Develop and implement a BIP, or review the existing BIP and modify as needed to address the current behavior(s); and
3. Return the student to the placement from which the student was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the IEP. (The parent's agreement must be informed, voluntary, and not coerced.)

If the team responds "No" to both statements, school personnel may apply relevant disciplinary procedures in the same manner for the same duration as the procedures applicable to students without disabilities, except as provided below:

1. Convene the IEP Team to determine the educational services to be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
2. Provide, as appropriate, an FBA, and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Section 3: Document the Extent of Services needed to enable the student to continue to participate in the general education curriculum, although in another setting, and progress toward meeting the goals set out in the student's IEP:

Section 4: MDR Signatures of the Relevant IEP Team members as determined by the LEA and parent(s)

Signature (Write Name if Not in Person)

Position

Other Participation

- ☐ Phone ☐ Virtually
- ☐ Phone ☐ Virtually
- ☐ Phone ☐ Virtually
- ☐ Phone ☐ Virtually
- ☐ Phone ☐ Virtually