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## Manifestation Determination Review

The law requires school divisions to conduct a manifestation determination review (MDR) when considering long term removal of a student. A long term removal is defined as more than 10 consecutive days or a pattern of removals which equal more than 10 days. If a proposed suspension is for a long term removal, the first step is a Manifestation Determination Review.

The school division must look at all relevant information in the student's file, to include:

- The IEP/504 Plan
- Any teacher observations
- Other relevant information provided by the parent

An MDR is held to determine if the conduct was either:

- Caused by or had a direct and substantial relationship to the student's disability or
- The direct result of the school division's failure to implement the student's IEP or 504 Plan

So, following an incident for which a school division is seeking disciplinary action which constitutes a long term removal, a review of the student's educational record and other information will reveal whether the behavior is or is not a manifestation of the child's disability.

If the behavior is found to be a manifestation,

- The school division must conduct an FBA and develop a BIP.
- If a BIP is already in place, it must be reevaluated for effectiveness.
- Generally, no further disciplinary action can be taken.

If the behavior is found to be a manifestation:

- A student with an IEP will continue to receive educational services to enable the student to;
  - Continue to participate in the general educational curriculum, although in another setting
  - Continue to receive services and modifications described in the IEP enabling the student to progress towards meeting the IEP goals and
  - Receive, as appropriate, FBA and behavioral intervention services and modifications designed to address the behavior violation so it does not recur
- A student with a 504 Plan will serve their suspension and receive education services the same as a suspended student without a disability