

Manifestation Determinations: A Quick Guide for Educators

Purpose & Overview

When a student with a disability faces suspension or expulsion that constitutes a change in placement (more than 10 consecutive school days, or a pattern of removals), IDEA requires a **Manifestation Determination Review (MDR)**.

The MDR decides if the behavior is linked to the student's disability or to a failure in IEP implementation. This worksheet gives educators a **step-by-step guide, plain-language explanations, scenarios, and templates** to navigate this high-stakes process confidently.

Why Manifestation Determinations Matter

- **Compliance:** Failure to conduct an MDR = denial of FAPE (Free Appropriate Public Education).
 - **Equity:** Prevents exclusionary discipline for behaviors caused by a disability.
 - **Student Protection:** Ensures disciplinary actions don't punish students for unmet needs.
 - **Team Accountability:** Checks whether the IEP and supports were implemented as written.
-

The Two Key Questions in an MDR

The team must answer **both**:

1. **Was the conduct caused by, or did it have a direct and substantial relationship to, the student's disability?**
2. **Was the conduct the direct result of the school's failure to implement the IEP?**

If the answer to **either question** is “Yes,” the behavior is considered a manifestation.

Step-by-Step MDR Process

1. Schedule the Meeting

- Must occur within **10 school days** of the decision to change placement.
- Include parent(s), LEA rep, relevant IEP team members.

2. Review Documentation

- Incident reports, witness statements, disciplinary records.
- Current IEP (goals, accommodations, BIP if applicable).
- Progress monitoring data, attendance, service logs.

3. Answer the Two Questions

- Team reviews evidence and determines “Yes” or “No” for each.

4. Determine Outcome

- If **Yes** (manifestation): Student returns to placement (unless parent agrees otherwise). Conduct FBA (if not already done) and implement/revise BIP.
 - If **No** (not manifestation): Discipline may proceed as with peers, but FAPE must continue (educational services must be provided).
-

Practical Educator Tips

- Always check if **services were delivered as documented** in the IEP before concluding.
- Consider whether **accommodations were in place** at the time of the incident.

- Ensure the decision is **well-documented in meeting notes**.
 - Avoid language that blames the student—focus on disability impact and service fidelity.
-

Sample MDR Case Scenarios

Scenario 1: Disability Connection

- Student with Emotional Disability shouts and throws a chair when denied a break.
- Data: IEP lists breaks as a support for emotional regulation; break was denied.
- **Outcome:** Behavior is manifestation → revise BIP and re-train staff.

Scenario 2: Implementation Failure

- Student with ADHD repeatedly leaves class. IEP provides for preferential seating and check-ins, but logs show accommodations not consistently applied.
- **Outcome:** Behavior is manifestation due to IEP not implemented.

Scenario 3: Not a Manifestation

- Student with Specific Learning Disability (reading) caught vandalizing school property.
 - No evidence linking vandalism to disability. IEP fully implemented.
 - **Outcome:** Behavior not manifestation → discipline proceeds; student continues to receive FAPE.
-

MDR Meeting Checklist

- Parent notified and included.

- IEP and discipline data reviewed.
 - Service logs checked for fidelity.
 - Two key questions answered and documented.
 - Decision communicated clearly to parent.
 - Next steps (FBA, BIP revision, services) assigned.
-

Quick Reference Educator Script

- “Our task today is not to excuse or minimize behavior, but to determine whether the behavior was linked to [Student’s] disability or to any failure on our part to implement the IEP as written.”
 - “If we determine the behavior is a manifestation, our responsibility is to adjust supports and strategies, not to remove services.”
-

Action Starter: Try Tomorrow

- Review one recent discipline case for a student with an IEP.
- Ask: Were IEP supports in place? Was the behavior linked to disability?
- Share findings with your admin team to strengthen your MDR process.