

Best Practices in Manifestation Determination Reviews

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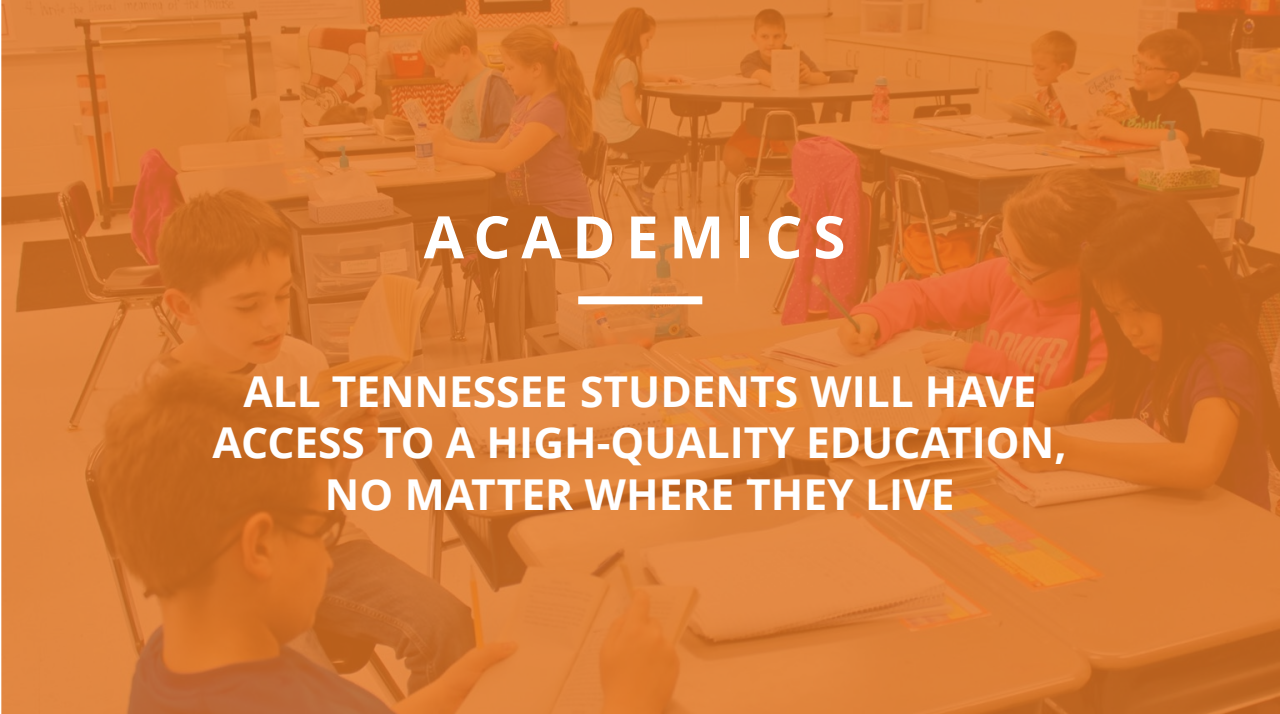
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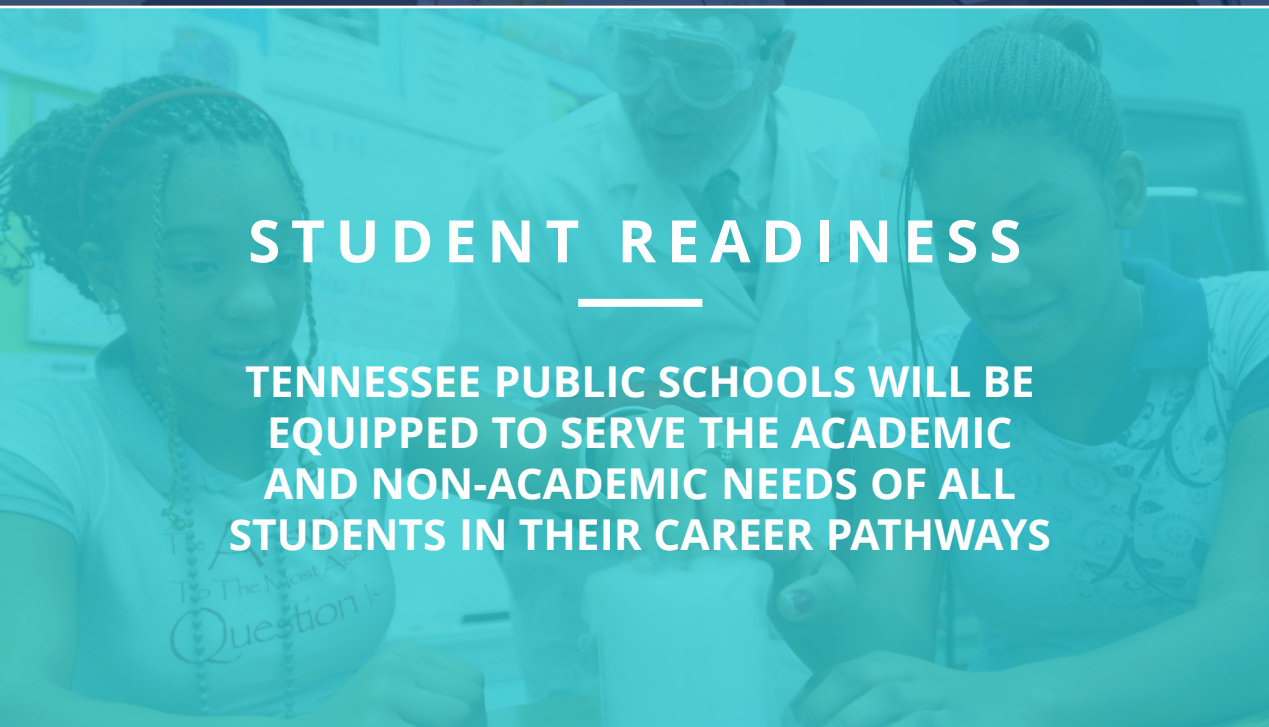
BEST FOR
ALL

We will set all students on a path to success.



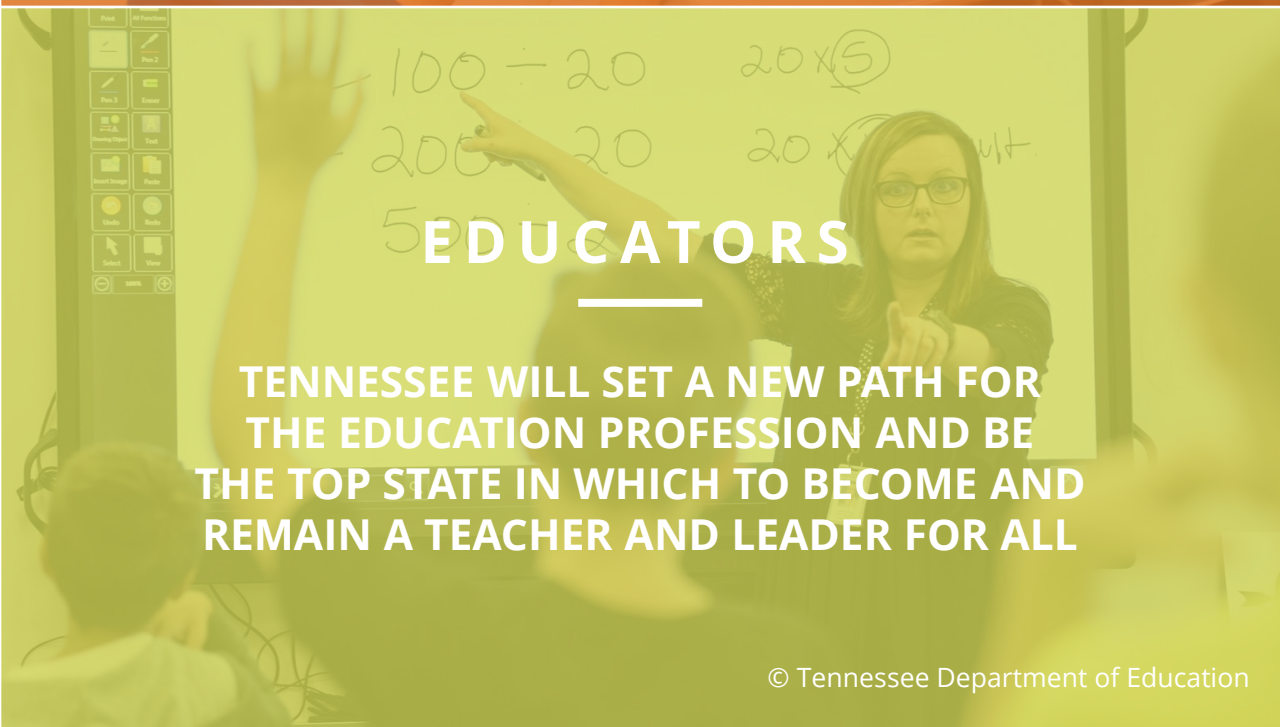
ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE



STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS



EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL



Agenda

- Changes of Placement
- The Manifestation Determination Review (MDR) Process
- Zero-Tolerance Offenses and Interim Alternative Educational Settings
- MDRs for Non-IDEA Students
- Prior Written Notices



What is an MDR?

- An MDR is an evaluation of a student's misconduct to determine **whether the misconduct is caused by or substantially related to the student's disability.**
- An MDR must be performed when an LEA proposes disciplinary measures that will result in a "change of placement" for a student with a disability. [34 C.F.R. § 300.530\(e\)](#).



Changes of Placement

What is a “change of placement”?

- A **change of placement** occurs when:
 1. The student is removed from his or her current placement for **more than 10 consecutive school days; or**
 2. The student is subjected to a **series of removals** from his or her current placement **that constitute a pattern** because:
 - a) The series of removals totals more than 10 school days in a school year;
 - b) The student’s behavior is substantially similar to the student’s behavior in previous incidents that resulted in the series of removals; and
 - c) Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of removals to one another.

See [34 C.F.R. § 300.536\(a\)](#).

What is a student's “placement”?

- **“Educational placement, as used in the IDEA, means educational program—not the particular institution where that program is implemented.”**

White v. Ascension Parish Sch. Bd., 343 F.3d 373, 379 (5th Cir. 2003)

- A student's “educational placement” is the special education and related services that the student receives, *not* the location of those services.

When is a student “removed” from a placement?

- To determine whether a student has been “removed” from his or her current placement, ask the following questions:
 1. Has the student’s access to the general education curriculum changed?
 2. Is the student still receiving all special education and related services listed in the student’s IEP?
 3. Does the student still have access to non-disabled peers as detailed in the student’s IEP?
- If you answer “yes,” the student has been removed from his or her current placement.

Quiz: Should you conduct an MDR?

Q1

Student receives a five-day bus suspension for fighting on the bus. It is student's first suspension of the school year. Student's IEP includes transportation services.

A1

NO. Student has not been suspended for more than 10 consecutive school days.

Q2

Student receives a 30-day bus suspension for fighting on the bus. Student's IEP includes transportation services.

A2

YES. A "removal" has occurred because student is not receiving all services listed in his IEP, and student has been suspended for more than 10 consecutive school days.

Q3

Student receives OSS for 10 days for inappropriate contact with another student. Student has already received OSS for five days this school year for inappropriate contact. Student does not have access to non-disabled peers during the suspension.

A3

YES. A "removal" has occurred because student does not have access to non-disabled peers, and student has been subjected to a series of removals that is based on substantially similar behavior and totals more than 10 school days in a school year.

Q4

Student receives ISS for 10 days for inappropriate contact with another student. Student has already received ISS for five days this school year for inappropriate contact. Student continues to receive IEP services and has access to non-disabled peers during the suspension.

A4

NO. A "removal" has not occurred.

If There is NOT a Change in Placement

- An MDR **does not need to be conducted**. See [34 C.F.R. § 300.530\(b\)\(1\)](#).
- The LEA **must provide educational services** to students with disabilities *if* the LEA also provides educational services to students without disabilities during suspension. See [34 C.F.R. § 300.530\(d\)\(3\)](#).
- If the LEA provides educational services to a student with a disability during a suspension, **school personnel and at least one of the student's teachers must determine** the extent to which services are needed to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP. See [34 C.F.R. § 300.530\(d\)\(4\)](#).
- The services may be provided in a setting **other than the student's normal educational placement**. See [34 C.F.R. § 300.530\(d\)\(4\)](#).

The MDR Process



The MDR Team

- The MDR team must include:
 1. The parent;
 2. A representative from the LEA;
 3. Relevant members of the student's IEP team, as determined by the parent and the LEA.
- Parents have the right to invite additional participants to the MDR, but they do not have the right to “uninvite” participants invited to the MDR by the LEA.

See [34 C.F.R. § 300.530\(e\)\(1\)](#).

Pop Quiz!

- Under Tennessee law, how much notice must parents be provided prior to holding an MDR?



?

Prior Notice to Parents

- Pursuant to [Tennessee State Board of Education Rule 0520-01-09-.15\(4\)](#), a parent must receive at least 24-hour notice of the MDR to ensure that the parent can participate in the MDR.

INITIAL

REMINDER

Date: 04/28/2022

Dear AI Einstein Test,

Our school system would like to invite you to attend a meeting to discuss the education needs of **AI Einstein Test**. It will be at **Conference Room Smith High** on **April 29, 2022 at 9:30 a.m.**

Members of our staff would like to meet with you for the following reasons:

- To consider a manifestation determination based upon a disability prior to a disciplinary action/hearing.

Other team members who will be invited to attend:

Special Education Teacher

LEA Representative

Speech Pathologist

Parent

Others as Appropriate

Regular Education Teacher

Interpreter of Evaluation Results

Guidance Counselor



MDR Determinations

The MDR team must answer the following questions:

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

See [34 C.F.R. 300.530\(e\)\(1\)](#).

Pop Quiz!

- True or False? The review team should consider all medical and psychological diagnoses listed in the student's IEP, not just the current eligibilities.



“All Relevant Information”

- **True.** The MDR must involve a review of "all relevant information in the [child's] file, including the child's IEP, any teacher observations, and any relevant information provided by the parents." However, that list of relevant information is not exhaustive.

See [34 C.F.R. § 300.530\(e\)](#).



Determining the Relationship Between the Conduct and the Disability

- Ability to understand impact and consequences
 - Has the student received information regarding school rules?
 - Has the student expressed that similar conduct is wrong?
- Ability to control behavior
 - What is the nature and severity of the disability?
 - Was the behavior premeditated or impulsive?

Determining the Relationship Between the Conduct and the Disability

- Behavior prompting suspension/expulsion
 - Description of the behavior
 - Incident reports
 - Statements from students, peers, or faculty
- Appropriateness of the program
 - Current eligibility
 - Other relevant medical information
 - Behaviors noted in the referral
 - Functional Behavior Assessment (FBA)/Behavior Intervention Plan (BIP)
 - Contents of evaluation
 - Current services/placement

Other Considerations

- Conduct which has an attenuated association to a student's disability, such as low self-esteem or bad judgment, would not equal a manifestation.
 - *Fitzgerald v. Fairfax Cnty. Sch. Bd.*, 50 IDELR 165 (E.D. Va. 2008) (concluding that an 11th-grader's anxiety issues were unrelated to his decision to conduct a weekend paintball raid on his high school).
 - Kan. Dep't of Educ., *In re: Student with a Disability*, 121 LRP 38430 (Oct. 25, 2021) (finding that a student's possession of a weapon at school was not a manifestation of his disability, ADHD, and was not due to the school's failure to implement his IEP).

Pop Quiz!

- Yes or No? Does the MDR team need to consider if the LEA failed to implement the student's BIP as well as the IEP?
- **YES!**



MDR Determinations

The MDR team must answer the following questions:

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

If the answer to either question is **YES**, then the behavior **IS** a manifestation of the student's disability.

If the answer to both questions is **NO**, then the behavior **IS NOT** a manifestation of the student's disability.

The Misconduct IS a Manifestation of the Student's Disability

- If the LEA determines that it failed to implement the student's IEP, then the LEA must **take immediate steps to remedy those deficiencies**. See [34 C.F.R. § 300.530\(e\)\(3\)](#).
- The LEA must **return the student to the placement from which the student was removed** unless the parent and school agree to a change of placement as part of the modifications of the behavior intervention plan (BIP) and/or least restrictive environment. See [34 C.F.R. § 300.530\(f\)\(2\)](#).
- The LEA must **conduct a functional behavior assessment (FBA) and implement a BIP for the student**. If the LEA has already developed a BIP, then the LEA must review and modify the BIP to address the behavior. See [34 C.F.R. § 300.530\(f\)\(1\)](#).

The Misconduct is NOT a Manifestation of the Student's Disability

- The LEA may apply disciplinary policies in the same manner and for the same duration that they would to a student without a disability. See [34 C.F.R. § 300.530\(c\)](#).
- School personnel and at least one of the student's teachers must determine the extent to which services are needed:
 - To enable the student to continue to participate in the general education curriculum, and
 - To progress toward meeting the goals set out in the student's IEP.

See [34 C.F.R. § 300.530\(d\)\(4\)](#).

Appeals

- A student's parents may appeal a determination that the student's conduct was a manifestation of the student's disability by filing an expedited due process. See [34 C.F.R. § 300.532\(a\)](#).
- The hearing must be held within 20 school days of the date the complaint was filed and the judge must make a determination within 10 school days of the hearing. See [34 C.F.R. § 300.532\(c\)](#).

Zero-Tolerance Offenses and Interim Alternative Educational Settings

Zero-Tolerance Offenses

- If a student with a disability commits an offense that constitutes a zero-tolerance offense **under IDEA**, you can remand the student to an interim alternative educational setting (IAES) for up to 45 school days regardless of the outcome of the manifestation determination review.
- If a student with a disability commits an offense that constitutes a zero-tolerance offense **under state law or your local Board policy**, but does not constitute a zero-tolerance offense under IDEA, you can only remand the student to an IAES if the misconduct was not a manifestation of the student's disability.

See [34 C.F.R. § 300.530\(g\)](#).

Threat of Mass Violence

- [Public Chapter 299 of the Public Acts of 2023](#) created a new zero-tolerance law under state law.
- [Tenn. Code Ann. § 49-6-3401\(g\)\(2\)](#) now states that a student has committed a zero-tolerance offense if the student **“Threatens mass violence on school property or at a school-related activity.”**
- “Mass violence” means **“any act which a reasonable person would conclude could lead to the serious bodily injury or death of two or more persons.”** See [Tenn. Code Ann. § 39-16-517](#).
- Remember to update your policies, procedures, and handbooks to include this change in the law!

Comparing Zero-Tolerance Offenses

Zero-Tolerance Offenses Under IDEA

1. The student carries or possesses a **weapon** to or at school, on school premises, or to or at a school function under the jurisdiction of an LEA.
2. The student has inflicted **serious bodily injury** upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA.
3. The student knowingly possesses or uses illegal **drugs**, or sells or solicits the sale of a **controlled substance**, while at school, on school premises, or at a school function under the jurisdiction of an LEA.

See [34 C.F.R. § 300.530\(g\)](#).

Zero-Tolerance Offenses Under State Law

1. The student brings a **firearm** to school or is in unauthorized possession of a firearm on school property.
2. The student commits aggravated assault or commits an assault that results in **bodily injury** upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer.
3. The student is in unlawful possession of any **drug, controlled substance analogue, or legend drug** on school grounds or at a school-sponsored event.
4. The student **threatens mass violence** on school property or at a school-related activity.

See [Tenn. Code Ann. § 49-6-3401\(g\)\(2\)](#).

Comparing Zero-Tolerance Offenses

"Weapons" Under IDEA

A **"weapon"** is a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2.5 inches in length.

See 18 U.S.C. § 930(g)(2).

"Firearms" Under State Law

A **"firearm"** is:

1. Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer; or
4. Any destructive device.
5. Such term does not include an antique firearm.

See 18 U.S.C. § 921.

Takeaways

The definition of "weapon" under federal law is much broader than the definition of a "firearm" under state law. For example, knives, scissors, cigarette lighters, or baseball bats would all likely be a zero-tolerance offense under IDEA, but would not be a zero-tolerance offense under state law.

Comparing Zero-Tolerance Offenses

“Serious Bodily Injury” Under IDEA

The student has inflicted **serious bodily injury upon another person** while at school, on school premises, or at a school function under the jurisdiction of an LEA.

“**Serious bodily injury**” means a bodily injury that involves: 1) a substantial risk of death; 2) extreme physical pain; 3) protracted and obvious disfigurement; or 4) protracted loss or impairment of the function of a bodily member, organ, or mental faculty. See 18 U.S.C. § 1365(h)(3).

“Bodily Injury” Under State Law

The student commits aggravated assault or commits **an assault that results in bodily injury upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer.**

Takeaways

There are two differences between federal and state law:

1. The definition of “serious bodily injury” under federal law is a significantly higher threshold than the definition of “bodily injury” under state law.
2. The student must inflict injury upon “another person” to constitute a zero-tolerance offense under federal law, but must inflict injury upon a “teacher, principal, administrator, any other employee of an LEA, or a school resource officer” to constitute a zero-tolerance offense under state law.

Comparing Zero-Tolerance Offenses

"Drugs" Under IDEA

The student knowingly possesses or uses illegal drugs, **or sells or solicits the sale** of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an LEA.

"Drugs" Under State Law

The student is in unlawful possession of any drug, controlled substance analogue, or legend drug on school grounds or at a school-sponsored event.

Takeaways

"Selling or soliciting the sale of a controlled substance" constitutes a zero-tolerance offense under federal law, but does not constitute a zero-tolerance offense under state law if the student does not possess the controlled substance on school grounds.

Is it a violation of federal or state zero-tolerance law?

Q1

A student with a disability brings a BB gun onto the school football field after practice.

A1

The student has likely committed a zero-tolerance offense under federal law, but not state law. The BB gun likely meets the definition of a “weapon” under federal law, but does not meet the definition of a “firearm” under state law.

Q2

A student with a disability is involved in a fight with another student. The other student suffers a broken nose as a result of the fight and misses two days of school.

A2

The student likely has not committed a zero-tolerance offense under federal law or state law. A “broken nose” likely does not meet the definition of “serious bodily injury” under federal law. Because the injured party was another student the incident does not constitute a zero-tolerance offense under state law.

Q3

A student with a disability offers to sell drugs to another student while at a football game. The student with a disability states he will deliver the drugs to the other student’s house if the other student agrees to pay him now.

A3

The student has committed a zero-tolerance offense under federal law by soliciting the sale of a controlled substance at a school function. The student has not committed a zero-tolerance offense under state law, unless he is in possession of the drugs at the football game.

Q4

A student with a disability is involved in an altercation with her boyfriend at prom. She leaves, but threatens to return to prom with a gun to shoot her boyfriend and then herself. School employees are reasonably concerned she will return and commit the action, but she does not.

A4

The student has committed a zero-tolerance offense under state law because she has threatened to commit an act which a reasonable person would conclude could lead to the serious bodily injury or death of two or more persons.

Interim Alternative Educational Settings

- The student's IEP team must select an IAES that enables the student to continue participating in the general education curriculum, albeit in another setting, and to progress toward meeting his or her annual IEP goals. See [34 C.F.R. § 300.531](#).
- An IAES can be:
 - A setting in another school in the district;
 - A different setting in the student's current school;
 - Some other setting, including the student's home.
- If the student is not making appropriate progress in the IAES, then the student's IEP team should convene a meeting to discuss a placement that will allow the student to receive FAPE.

Referral to Law Enforcement

- LEAs may report a crime committed by a child with a disability to appropriate authorities. See [34 C.F.R. § 300.535\(a\)](#).
- An LEA reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime. See [34 C.F.R. § 300.535\(b\)](#).

MDRs for Non-IDEA Students

Unidentified Students

- A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates a code of student conduct, **may assert any of the protections provided if the LEA had knowledge that the child was a “child with a disability” before the behavior that precipitated the disciplinary action occurred.**

See [34 C.F.R. § 300.534\(a\)](#).

Unidentified Students

- LEAs are deemed to have knowledge that the child was a “child with a disability” before the behavior that precipitated the disciplinary action occurred if:
 - The child’s parent had expressed concern in writing to an LEA official or the child’s teacher that the child needed special education;
 - The child’s parent had requested an evaluation; or
 - The child’s teacher or other LEA personnel expressed specific concerns about a pattern of behavior to LEA officials.

See [34 C.F.R. § 300.534\(b\)](#).

Unidentified Students

- LEAs are not deemed to have knowledge that the child was a “child with a disability” before the behavior that precipitated the disciplinary action occurred if:
 - The child was referred for an initial evaluation, but the child’s parent **did not provide consent to conduct an initial evaluation**;
 - The child was determined eligible, but the child’s parent **did not provide consent for the initial provision of services**; or
 - The LEA evaluated the child and determined the child was **ineligible for special education and related services**.

See [34 C.F.R. § 300.534\(c\)](#).

Unidentified Students

- If the parent of a general education student requests an initial evaluation during the time period in which the child is subjected to disciplinary measures, the LEA **must conduct the evaluation in an “expedited manner.”** See [34 C.F.R. § 300.534\(d\)\(2\)\(i\)](#).
- The LEA may keep the student in the educational placement determined by school authorities until the evaluation is completed. See [34 C.F.R. § 300.534\(d\)\(2\)\(ii\)](#).

Students Protected by Section 504

- LEAs must "conduct an evaluation . . . of any person who . . . needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person . . . and any subsequent **significant change in placement.**" See [34 C.F.R. § 104.35\(a\)](#).
- A "significant change in placement" is defined the same under Section 504 as it is under IDEA.

Students Protected by Section 504

- The MDR team must include people knowledgeable about the student, the meaning of the evaluation data, and the placement options. This may be the same group that makes placement decisions.

See [34 C.F.R. § 104.35\(c\)](#).

Students Protected by Section 504

- The MDR team must answer the following questions:
 - Was the student’s conduct caused by or did it have a substantial relationship to the student’s disability?
- The MDR team does **not** need to answer the following questions:
 - Was the student’s conduct a direct result of the LEA’s failure to implement the student’s Section 504 plan?

See [34 C.F.R. § 104.35\(c\)](#).

Students in Tiered Intervention

- “Students served in RTI² (Response to Instruction and Intervention) Early Intervening Services Programs do not enjoy the disciplinary protections of IDEA and are disciplined the same as non-disabled students.”

[71 Fed. Reg. 46,727 \(Aug. 14, 2006\).](#)

Prior Written Notices

MDR and Prior Written Notice

1. Description of the action proposed or refused by the school system.

Example: The IEP team agreed to move Johnny to the alternative school due to his disciplinary infraction.

What's missing? How could you improve this?

MDR and Prior Written Notice

1. Description of the action proposed or refused by the school system.

Example: The IEP team convened to conduct a manifestation determination review. The team discussed Johnny's pattern of disciplinary infractions (threatening his teachers, fighting, property destruction, and noncompliance) as well as Johnny's current discipline incident (fighting in the school bathroom) in relation to Johnny's identified eligibility, which is specific learning disability in reading fluency and comprehension. The team also reviewed Johnny's current IEP and BIP to ensure it has been implemented as designed. The team agreed Johnny's behavior does not have a direct relationship to his identified disability, and his behavior was not caused by the LEAs failure to implement his IEP/BIP. Therefore, this behavior is not a manifestation of Johnny's disability. Ms. Jones, the principal, reported that Johnny will be remanded to the alternative school for the remainder of this school year. Johnny will receive special education services at ABC Alternative School.

MDR and Prior Written Notice

- 2. Explanation of why the school system proposed or refused to take this action.

Example: Johnny got into a fight, so he was expelled.

What's missing? How could you improve this?

MDR and Prior Written Notice

- 2. Explanation of why the school system proposed or refused to take this action.

Example: Johnny's eligibility is specific learning disability (SLD) in reading fluency and comprehension. Johnny was evaluated for emotional disturbance in 2021, but he was found not eligible as Johnny's behavioral concerns were attributed to social maladjustment. Johnny's deficits in reading fluency and comprehension do not have a direct or substantial relationship to Johnny's recent incident that involved fighting with a male peer in the 10th grade hall restroom. The team reviewed the current IEP which provides for inclusion in English for 45 minutes daily, and his BIP states he will have a daily check in and out with Ms. Thompson and use a behavior contract that is updated monthly. His BIP addressed physical aggression, verbal aggression, and noncompliance. His IEP and BIP services have been provided consistently, as evidenced by the IEP progress reports and the check in and out signatures by Johnny and Ms. Thompson. The IEP and BIP have been consistently implemented by the school.

MDR and Prior Written Notice

- 3. Description of any options the school district considered prior to this proposal.

Example: No other options considered as this was an administrator decision.

What's missing? How could you improve this?

MDR and Prior Written Notice

- 3. Description of any options the school district considered prior to this proposal.

Example: The team considered that the behavior in question was a manifestation of Johnny's disability. The team also considered input from Mr. Smith, Johnny's father, as Mr. Smith noted that Johnny has trouble interacting with peers appropriately which led to the fight.

MDR and Prior Written Notice

- 4. Reasons the above listed options were rejected.

Example: NA

What's missing? How could you improve this?

MDR and Prior Written Notice

- 4. Reasons the above listed options were rejected.

Example: The team rejected the consideration that Johnny's behavior was a manifestation of Johnny's disability. When reviewing the criteria and characteristics of Specific Learning Disability (SLD), there is no reference to physical aggression or fighting. Johnny also understood what he was doing and what the consequences would be as Johnny reported in his interview after the fight: "I told him to meet me in the bathroom, so no cameras would see us...I know I'm in trouble and I will probably be suspended." Additionally, the team rejected the parents' claim that Johnny cannot appropriately interact with peers. Based on the reevaluation in 2021, Johnny reported he has many friends, an on and off again girlfriend, and one best friend. Additionally, no elevations in ratings scales were found across raters (student, parent, or teachers) for areas related to peer interactions or peer relationships. His teachers report he sits with a group of males and females every day at lunch, and he also interacts appropriately with others in class on a regular basis.

MDR and Prior Written Notice

- 5. Description of evaluation procedures, tests, records, or reports the school district used as a basis for the proposal or refusal.

Example: Incident reports & IEP

What's missing? How could you improve this?

MDR and Prior Written Notice

- 5. Description of evaluation procedures, tests, records, or reports the school district used as a basis for the proposal or refusal.

Example: The team reviewed Johnny's most recent annual IEP completed on February 18, 2022, an IEP addendum completed on April 1, 2022, current BIP, most recent FBA (conducted in 2021 during the reevaluation), all psychological reports including the comprehensive reevaluation in 2021, IEP progress reports, medical information, parent input, teacher input, student input, statements/interviews after the behavioral incident, discipline reports, and current transcript.

MDR and Prior Written Notice

- 6. Other factors relevant to the action proposed.

Example: Parent attended the meeting.

What's missing? How could you improve this?

MDR and Prior Written Notice

- 6. Other factors relevant to the action proposed.

Example: Team reviewed procedural safeguards with parent including their right to a hearing if they disagree with the outcome of this meeting. Parent accepted a copy of the procedural safeguards, but the parent declined to ask any follow-up questions. The team members present for the MDR including Mr. Smith, Johnny's father, Ms. Jones, the school principal, Mr. Parks, Johnny's English teacher, Ms. Smith, Johnny's math teacher, Dr. Johnson, the school psychologist, Mr. Wilson, Johnny's special education teacher, and Ms. King, the 10th grade dean of students.

The team agreed to hold a transition meeting when Johnny returns to West High in the fall. An IEP meeting was scheduled for two weeks prior to the start of school to ensure Johnny's plan and supports are appropriate to ensure his success for his 11th grade school year.

Recommendations to Consider

Develop
procedures for
holding MDRs.

Be proactive
with supports.

Be responsive
to the data.

U.S. Department of Education Resource

U.S. Dep't of Educ., "[Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions](#)," (July 19, 2022).





Thank You!

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