

Purpose and Overview of the Guidance Document

This guidance describes requirements and best practices for the manifestation determination review (MDR) process as a tool for addressing disability-related behavior, including specifics related to the imposition of exclusionary discipline.

Requirements for imposing disciplinary removals of children with disabilities are found in numerous federal and state laws and regulations. Some of these apply to all children in public schools. It is important for local school districts to examine their current policies to ensure that they comply with all requirements. Additionally, school districts may wish to consult with their legal counsel to consider what other policies might be needed. It is advisable for school districts to develop clear definitions and inform children and parents of the school district's expectations in terms of behavior and conduct.

This guidance is not legal advice, nor should it be relied on as legal advice. If you require legal advice regarding the issues discussed, please consult an attorney.

Introduction

Students with disabilities are afforded additional disciplinary protections under the Individuals with Disabilities Education Act (IDEA). The IDEA affords additional disciplinary protections to students with disabilities for a few key reasons:

- To prevent excessive disciplinary removals due to behaviors that are caused by or directly and substantially related to a student's disability, or due to the school district's failure to implement the student's IEP. The MDR process aims to ensure discipline is not applied in a discriminatory manner.
- To uphold the right of students with disabilities to receive a free appropriate public education (FAPE). Removing services necessary to enable FAPE through suspensions or expulsions could violate this core IDEA principle.
- To prevent interrupting special education services and a student's participation in the least restrictive environment (LRE). Disciplinary removals could prevent a school district from implementing a student's Individualized Education Program (IEP) within their LRE and, therefore, from enabling the provision of FAPE.
- To preclude school districts from using suspensions and/or expulsions as an indirect way to change a student's placement outside of the IEP team process.
- To provide extra protection given the way [ableism](#) results in misinterpretation of behaviors of students with disabilities.

Accordingly, when discipline is being imposed on students with disabilities, all disciplinary provisions of the IDEA must be followed. First, students and families have procedural safeguard rights. They are entitled to receive notice informing them of those rights once per year and under certain other conditions. Whenever it is provided, this notice must be in a language

understandable to the general public and the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

One of the conditions under which procedural safeguards need to be given to the parent more than once per year is when discipline procedures are invoked for a student with a disability. Specifically, when a disciplinary removal constitutes a change of placement, the school district must provide the parent with a procedural safeguard notice on the date the removal decision was made. This ensures parents understand their rights in the disciplinary process.

Within 10 days of a disciplinary removal that constitutes a change in placement, the LEA representative, parent, and relevant IEP team members must meet to conduct an MDR. The MDR involves reviewing all relevant information in the student's file to determine if the conduct was a manifestation of their disability. This directly impacts whether discipline can be imposed. MDRs aim to prevent unfair penalties for disability-related behaviors by examining the connection between the behavior and disability. Regardless of whether a student with a disability is suspended or expelled, school districts continue to have an obligation to enable the provision of FAPE for all school-aged students with disabilities (between the ages of 3 and 21, inclusive).

This guide aims to provide a comprehensive understanding of MDRs and the role they play in ensuring the fair treatment and support of students with disabilities in order to support school districts' effective implementation of the IDEA. Used appropriately, MDRs enable equity in school discipline for students with disabilities and support IEP teams to make appropriate educational decisions for the students in their care. By examining the connection between a student's disability and their behavior subject to disciplinary action, MDRs help prevent the misinterpretation of behavior as intentional misconduct or noncompliance.

When implemented appropriately, this process helps ensure that students with disabilities are not unfairly penalized for actions that may be a direct result of their disability. By conducting MDRs, educational teams can effectively distinguish between disciplinary matters and disability-related challenges, thereby fostering an environment where students with disabilities receive the support and understanding they need to holistically succeed.

What is a Manifestation Determination Review (MDR)?

An MDR is an essential tool for IEP teams that enables the team to closely review a student's circumstances in order to examine the relationship between a student's disability and specific behavior exhibited by the student, in order to inform appropriate educational decision making. MDRs must be used in specific circumstances under the IDEA, and can be used by IEP teams whenever there is a question about the connection between a student's disability and their behavior or conduct.

The MDR process involves reviewing available information about the student in order to answer the following two questions:

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

If the answer to **either** of these questions is determined to be "yes", the behavior is a manifestation of the student's disability. If the answer to **both** questions is determined to be "no", the behavior is not a manifestation. The impact of this decision related to imposing exclusionary discipline is discussed later in this guidance.

MDRs as a Resource for IEP Teams

One of the primary purposes of MDRs is to serve as a valuable resource for IEP teams. The MDR process can reveal insights into additional behavioral supports, services, accommodations or modifications that need to be added to a student's IEP. Conducting an MDR can also help identify cases where revisions are needed to existing supports in a student's IEP to more appropriately address their disability-related needs.

By closely examining the relationship between a student's disability and the behaviors that may be subject to disciplinary action, MDRs provide crucial insights that inform the development and implementation of appropriate supports and interventions. By leveraging the findings of MDRs, IEP teams can better tailor educational plans, strategies, and services to meet the unique needs of students with disabilities, fostering their success and well-being in the educational setting.

The IDEA's discipline protections also apply to a child under evaluation for whom eligibility has yet to be determined and situations where a child has not yet been determined eligible for IDEA services, but the LEA is aware or should be aware that the child is a child with a disability. These disciplinary protections also apply to students with disabilities in various non-traditional settings where FAPE is provided. These include publicly funded preschool programs, public charter schools, state educational agencies (SEAs), local educational agencies (LEAs), virtual schools or virtual settings, correctional facilities, and publicly placed private school students with disabilities.

When an MDR is Required

MDRs are required under two specific conditions:

1. **Disciplinary Removals Exceeding 10 Consecutive School Days:** When a student with a disability is subjected to a disciplinary removal that exceeds 10 consecutive school days, an MDR must be conducted.

- 2. Disciplinary Removals Totaling More Than 10 Cumulative School Days in a School Year:**
When a student with a disability has been removed due to disciplinary reasons for 10 or more cumulative days within a single school year, an MDR must be conducted.

This process ensures that the educational rights of students experiencing disabilities are upheld, even in instances requiring disciplinary action.

Even where not required, MDRs can be a useful tool for IEP teams. School districts must use MDRs at specific times under certain conditions. However, ODE suggests that IEP teams may want to conduct an MDR at other times. MDRs could be appropriate whenever a student with a disability exhibits a pattern of behavior that impacts their ability to receive FAPE, as the MDR process can enable the IEP team to more carefully think through interventions that support a student's disability-related behavioral needs. Using MDRs proactively may assist teams to make decisions about student supports and services that assure the provision of FAPE and reduce the need for disciplinary removals.

Disciplinary Removals

When disciplinary removals are required, the IDEA takes a broad view of them. Generally, a removal is considered a disciplinary removal unless the student:

- Is afforded the opportunity to continue to appropriately participate in the general curriculum,
- Continues to receive all services specified on their IEP, and
- Continues to participate with children without disabilities to the extent required by their IEP.

Please note that disciplinary removals include informal removals and partial day removals, as specified in ORS 339.250. Informal removals are exclusions that take place because of a child's behavior outside of required formal disciplinary procedures. Shortening a child's school day because of their behavior is also a disciplinary removal. In addition to being considered a disciplinary removal, the practice of shortening a child's school day as a disciplinary measure could also be considered a denial of FAPE. IEP teams should be aware of requirements related to abbreviated school day programs, the possible connection between exclusionary discipline and abbreviated school day programs, and should consider options to maintain a child's meaningful access to a full school day as appropriate.

The IDEA allows traditional disciplinary methods, such as restriction of privileges consistent with all federal, state, and local requirements. School officials may also use in-school or out-of-school suspension so long as it does not constitute a change of placement. The law does not set an absolute limit on the number of cumulative school days needed to constitute a change of placement, but requires a case-by-case examination of specific factors and requires that services be provided after the 10th school day of suspension in a school year.

An MDR is required when a disciplinary removal is for more than 10 consecutive school days, or when a student with a disability has been: (a) subjected to a series of removals that constitute a pattern, (b) that series of removals totals more than 10 school days in a school year, and (c) the student's behavior is substantially similar to their behavior in prior incidents that resulted in the series of removals. Teams should also consider additional factors, such as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Services During Removals

The requirement to provide a FAPE extends to students experiencing disabilities who face disciplinary removals, such as suspensions or expulsions (34 CFR § 300.101(a); OAR 581-015-2410). Therefore, beginning on the 11th cumulative day of removal within an academic year, school districts must provide services specifically tailored to offer the student the opportunity to continue making progress in the general education curriculum and towards their IEP goals in order to receive FAPE.

Schools must provide FAPE to all children with disabilities, including those who are suspended or expelled from school. Nevertheless, children with disabilities like students without disabilities may be given short-term suspensions. The school is not required to provide educational services to children with disabilities during the first 10 cumulative days of suspension in a school year. However, when the total number of school days of suspension in a school year reaches 11, and the current removal is for not more than 10 consecutive school days and is not a change of placement, the school must begin providing educational services. School officials must determine the extent to which special education and related services must be provided to the child beginning on the 11th school day of suspension. This is known as the "11th day rule." Beginning on the 11th school day of suspension in a school year, and each school day of suspension thereafter, special education and related services needed for the child must be provided to enable the child to:

- participate in the general education curriculum, although in another setting; and
- to progress toward meeting the goals set out in the child's IEP.

The comments to the federal regulations clarify that the services to be provided to the child on the 11th day do not have to "replicate every aspect of the services that a child would receive if in his or her normal classroom." (Federal Register, Aug. 14, 2006, p. 46716) "The [IDEA] modified the concept of FAPE in these circumstances to encompass those services necessary to enable the child to continue to participate in the general curriculum, and to progress toward meeting the goals set out in the child's IEP. An LEA is not required to provide children suspended for more than 10 school days in a school year for disciplinary reasons, exactly the same settings as they were receiving prior to the imposition of discipline." It is important, however, that the child continues to progress toward meeting graduation requirements.

If the student's removal constitutes a change in educational placement, the IEP team should reconvene to ensure that the student continues to be able to access FAPE given their current circumstances. At this meeting, the IEP team should also consider whether an FBA/BIP should be implemented.

Timeline for Conducting the MDR

It is critical that school districts are aware of and comply with required timelines for MDR processes. The required timeline for conducting an MDR ensures timely and appropriate decision making in urgent circumstances. Federal and state regulations require an MDR to be completed within 10 school days of the decision to impose a disciplinary change of placement because of a violation of the code of student conduct.

Preparing to Conduct the MDR Meeting

The MDR meeting plays a key role in examining the relationship between a student's disability and the behavior resulting in disciplinary action.

Who to Invite

Collaborate with parents to set meeting times that work for everyone, within the required timeframes. The meeting should include the district, the parent, and pertinent IEP team members, as agreed upon by both the parent and the district, in accordance with 34 CFR § 300.530(e). ODE suggests that districts consider inviting school staff with valuable insights, such as those involved in the investigation and key IEP team members familiar with the student.

Meeting Preparations

ODE suggests that school districts take the following steps in preparing for MDR meetings:

- Decide who will facilitate the meeting and who will take meeting notes.
- While avoiding predetermination of meeting results, determine desired meeting outcomes (i.e., what problem is the team trying to solve together?). Examples of potential meeting outcomes could include:
 - By the end of the IEP meeting, the team will have reviewed the student's circumstances to reach the same clear understanding of the essential characteristics of the student's disability.
 - By the end of the IEP meeting, the IEP team will reach consensus as to whether the conduct in question is a manifestation of the student's disability.
 - By the end of the meeting, the IEP team will have outlined next steps for supporting the student's behavioral and academic needs based on the outcome of the MDR.
- Develop an agenda that enables the team to work towards the needed outcomes.
- Ensure all participants in the MDR meeting will have access to all relevant records. Relevant records may include, but are not limited to:
 - Educational records:

- Attendance and academic records
- The student's current IEP
- Recent evaluations and assessments, especially those detailing how the disability manifests for the specific student. Data directly linking behaviors to disability characteristics would be most relevant.
- Observations and information from teachers from within the past 6-12 months. Information detailing behaviors potentially associated with the features of the student's disability would be most relevant.
- Disciplinary history and previous related incidents, including information on the nature, frequency, duration, and severity of behaviors compared to same-age peers.
- Medical or clinical diagnoses and provider recommendations
- Documentation on IEP implementation
- Information about the conduct in question
 - Description of the specific behavior and incident leading to disciplinary action, including any information available about antecedents and consequences
 - Documentation of events surrounding the incident (interviews, recordings, investigation reports, etc.)
 - Statements from educators, counselors, and other personnel directly involved
 - *(if applicable)* Parent account of events and precipitating factors
- Parent/guardian input and documentation
 - Parent account of events, precipitating factors, and disability impact
 - Relevant medical, clinical, or outside provider documentation
 - Parent notes, emails, or records regarding the behavior
- Review all pertinent information during the meeting and ensure all participants have the opportunity to provide input and meaningfully participate in the decision-making process.

By carefully planning and inviting the right participants, the MDR meeting can be a constructive space for making informed decisions that serve the interests of the student experiencing disability.

Reviewing the Relationship Between the Student's Disability and the Behavior Subject to Disciplinary Action

The MDR meeting allows the team to thoroughly examine whether and to what extent the student's disability is connected to or contributing to the behavior being reviewed.

Initial Review

Within this framework, the IEP team—comprising parent(s) and relevant professionals—reviews all available data, from parental input to assessments and behavioral records. This

comprehensive review helps the team understand how the student's disability might be influencing the behavior in question.

Core Objective

The central aim of the MDR meeting is to establish whether the behavior in question is a manifestation of the student's disability. To make this pivotal determination, the team evaluates various factors:

- The supports tailored to the student and any prior interventions
- The student's documented history of similar behaviors
- Any environmental conditions that might have influenced the behavior

The team's final determination results from two critical elements:

1. Whether the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
2. Whether the conduct in question was the direct result of the school district's failure to implement the IEP.

Through a careful review of all relevant documentation and a collaborative examination of these elements, the MDR meeting enables informed decisions that honor the complexities of each student's unique situation.

Considering Whether the Behavior was Caused by the Student's Disability

To determine whether a student's behavior was caused by their disability, the team should thoroughly review all relevant records, including those gathered before the meeting and any new information provided by the parent. The goal is to establish whether the behavior stems directly from the disability itself, not just correlates with it. By examining the available data, the team can make an informed decision about the relationship between the disability and the student's behavior.

The team should focus on:

- The characteristics of the disability and how they manifest in the student's behavior.
- The student's past behavioral incidents and patterns, especially whether the current conduct aligns with previous behaviors.
- Any triggers or circumstances that may have sparked the behavior, particularly those related to the unique nature of the student's disability.

The aim is to examine whether there is a direct cause-and-effect relationship, with evidence showing the behavior stems directly from the disability.

Considering Whether the Behavior was Directly and Substantially Related to the Student's Disability

A “direct and substantial relationship” between a student’s disability and behavior refers to a close linkage or connection that directly causes or gives rise to the behavior in question. To determine if the behavior is directly and substantially related to the disability, the team should focus on:

- How the disability manifests in the student’s behaviors.
- The student’s typical behavioral patterns compared to peers, including whether this behavior aligns with or escalates previous incidents.
- Proximity of the behavior to specific disability episodes it may directly link to.
- Timing of the behavior relative to any changes in the student’s program or placement.
- Other factors drawing a direct line between the disability’s unique needs and the behavior.

A general association between the disability and behavior in question is insufficient to establish a “direct and substantial” relationship. Rather, the goal is to examine whether there exists an immediate cause-effect relationship, with the behavior originating directly from the disability itself.

Considering if the Behavior in Question was the Direct Result of the LEA’s Failure to Implement the IEP

To determine if the behavior directly resulted from failures to properly implement the IEP, the team should examine:

- The services, accommodations, and supports in the IEP intended to address the disability and behaviors.
- Documentation on whether IEP provisions were provided consistently, appropriately, and as written.
- Any gaps, delays, or lapses in IEP implementation related to the student’s needs.
- Input from teachers, providers, parents, and the student on IEP implementation weaknesses.
- Data revealing triggers and antecedents pointing to IEP lapses.
- Changes in behavior after IEP implementation disruptions.
- Parent communications requesting IEP revisions or supports prior to the incident.
- Whether the IEP specifically targeted the behavior in question.
- Other factors showing the behavior was an unavoidable result of IEP failures, not just loosely associated with an IEP implementation issue.

The goal is to examine whether there exists clear evidence that the behavior in question directly resulted from specific IEP implementation failures, not merely evidence that the school district failed to implement aspects of the IEP.

Thoroughly examining each of these factors will enable the team to carefully consider and accurately determine whether the conduct in question is a manifestation of the student's disability.

Disciplinary Decision-Making Based on MDR

The determination as to whether the conduct in question was a manifestation of the student's disability informs the team's next steps. When a student's conduct is determined not to be a manifestation, the school district should carefully review and, if necessary, revise the student's IEP to ensure the provision of FAPE to the student is enabled and may impose disciplinary consequences based on the code of student conduct. When a student's conduct is determined to be a manifestation, the team should focus on revising the IEP – especially behavioral supports – in order to ensure appropriate supports are in place.

If the Conduct in Question is Determined **TO BE** a Manifestation

The student's rights under the Individuals with Disabilities Education Act (IDEA) are protected. The student cannot receive a long-term suspension and the team should focus on providing appropriate support and interventions to address the underlying causes of the behavior. Therefore, except in specific cases involving drugs, weapons, or serious bodily injury, if the school, the parent and other relevant members of the IEP team determine that the child's behavior was a manifestation of the disability, the IEP team must:

1. Return the child to the placement from which the child was removed, unless the parent and the school agree to a change of placement; and
2. Either:
 - a. Conduct a functional behavioral assessment, unless the school had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
 - b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

If it is determined that the child's behavior is a manifestation of the child's disability the child cannot be subject to a long-term removal for the behavior. However, the school and the parents could agree to another setting. Also, even when the behavior is a manifestation of the child's disability the school could request a special education due process hearing officer to order a 45 school-day interim alternative educational setting if the school district can show that maintaining the current placement is substantially likely to result in injury to the child or others (See Letter to Huefner, OSEP, October 3, 2006 (47 IDELR 228) and 34 CFR 300.532).

If the Conduct in Question is Determined **NOT TO BE** a Manifestation

If the IEP team determines the behavior was NOT a manifestation of the child's disability, the district may address the disciplinary matter in the same manner as discipline is addressed with

peers without disabilities. This includes through the imposition of appropriate disciplinary actions, including through a disciplinary change in placement. However, school districts must ensure that the student's disability-related needs continue to be met. In the event of a disciplinary change in placement, the school district must provide prior written notice to the parent.

However, parental consent for this disciplinary change in placement, and for the services to be provided in that placement, is not required; however, a child with a disability must continue to receive educational services during the period of a long-term disciplinary removal. The services that must be provided during the long-term removal are the services that the IEP team determines are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the IEP team determines it is appropriate, the child must receive a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

The team should document all discussions, findings, and decisions reached by the team throughout the MDR process. If the parent of a child with a disability, the LEA, and the relevant members of the child's IEP Team cannot reach consensus on whether the child's behavior was a manifestation of the disability, the LEA must make the determination and provide the parent with prior written notice under 34 CFR §300.503.

Next Steps and Possible Actions

The ultimate goal of the MDR process is to ensure that students with disabilities receive the necessary services and supports to succeed academically and socially. The MDR team should consider the unique needs of each student and tailor supports accordingly. This process may involve reviewing and revising the student's IEP, conducting an FBA to identify underlying causes of behavior, and developing a targeted BIP to address behaviors of concern effectively.

Under the IDEA, if a child's behavior impedes their learning or that of others, to ensure FAPE to the child, IEP teams must consider the use of positive behavioral interventions and supports and other strategies. IEP teams should revise a child's IEP if existing behavioral supports are not effective in addressing a child's behavior needs. Progress monitoring data is essential to inform IEP teams as to whether existing behavioral supports are being effective in addressing the child's behavior needs.

When an IEP team determines that a student's IEP is not effectively addressing their behavior needs, possible next steps and actions include:

- **Changes to the IEP:** Following an MDR, if the behavior is determined to be a manifestation of the student's disability, the IEP should be reviewed and revised to provide additional or modified supports. This could include adjustments to

accommodations, modifications, goals, services, or related supports that address the student's specific needs.

- **FBA/BIP:** In cases where the behavior is found to be a manifestation of the student's disability, an FBA may be conducted once parental consent is obtained. The FBA aims to identify the underlying factors contributing to the behavior and inform the development of a BIP. The BIP outlines proactive strategies and targeted interventions to address and modify the behavior while promoting positive alternatives.
- **Disciplinary Actions and Alternative Educational Placements:** If the behavior is determined not to be a manifestation of the student's disability, action may be taken in accordance with the school's disciplinary policies and procedures. These actions should be applied equitably and in compliance with applicable laws. While implementing disciplinary measures, it is essential to ensure that the student's educational needs continue to be met. Under the IDEA, students are entitled to FAPE, even when expelled. In some cases, consideration may be given to alternative educational placements or interim services to address the student's behavior while maintaining an appropriate learning environment for the student.

Regardless of whether a behavior is determined to be a manifestation or not, the team should approach the next steps with a focus on fostering the student's academic, social, emotional, and behavioral growth.

Appealing the MDR Decision

If parents/guardians disagree with the outcome of the MDR or have concerns about the process, they have the right to appeal. The parent has the right to exercise their procedural safeguards, including requesting mediation, an expedited due process hearing, and/or filing a State complaint.

Parent/Guardian Rights

Parents/guardians play a vital role in the MDR process and have specific rights when it comes to appealing the decision. These rights may include:

1. **Access to Records and Information:** Parents/guardians have the right to review all records and information relevant to the MDR process.
2. **Seeking Independent Educational Evaluations:** If parents/guardians disagree with the MDR decision, they have the right to request an independent educational evaluation at the school's expense.
3. **Participating in Meetings and Decision-Making:** Parents/guardians have the right to actively participate in the MDR meeting, sharing their perspective, and contributing to the decision-making process.

If parents/guardians wish to challenge the MDR decision, they can pursue a due process hearing or mediation under appeal.

1. **Due Process Hearing:** Parents/guardians have the option to request a due process hearing. This is a formal hearing resulting in a legal order. It may be requested if parties disagree with the identification, evaluation, educational placement, or other issues relating to a child's education.
2. **Mediation:** Mediation offers an alternative means of resolving disputes between parents/guardians and the school district. It involves a neutral third party who facilitates the process of solving problems about a child's special education evaluation, program, or placement. A mediator helps parents and educators develop solutions to the dispute.

If parents/guardians believe that the MDR decision violates their child's rights under federal laws such as the IDEA, Section 504 of the Rehabilitation Act, or the Americans with Disabilities Act (ADA), they have the option to file a complaint with the Office for Civil Rights (OCR). The OCR investigates alleged violations and takes appropriate actions to address them.

Engaging in open and respectful communication can often help address concerns before resorting to formal appeals. By understanding the appeal options and utilizing the appropriate channels, parents/guardians can advocate for their child's rights and seek a resolution that aligns with their concerns.

Conclusion

MDRs serve as a vital tool in promoting an equitable and supportive educational environment for students with disabilities. It is important for teams, school administrators, and educators to embrace the MDR process as an opportunity for collaboration, communication, and proactive problem-solving. By recognizing the scope of settings and circumstances covered by disciplinary protections in the IDEA, schools can ensure that the MDR process is applied appropriately, helping to safeguard the rights of students with disabilities and ensure that their educational needs are adequately addressed.

It is essential for schools and districts to take proactive measures to ensure that students with disabilities receive the education they deserve. Effective and appropriate MDR practices are one way school districts can uphold the rights and inclusion of all students.

Additional resources are available and linked below. If you require further information or support, please reach out to your Oregon Department of Education [District Support Specialist](#).

Appendix

[Manifestation Determination](#)

[Oregon Administrative Rule 581-015-2420](#)

[ODE Sample Form: Manifestation Determination](#)

MDR Resources

Access to comprehensive and up-to-date resources is essential for teams, school administrators, and educators involved in the MDR process. This section provides an overview of the resources available to support their understanding and implementation of MDRs:

[Manifestation Determination in School Discipline](#) Center for Parent Information and Resources (CPIR) (2022).

[Manifest Determination Flow Chart](#) Reese, M. (2021). Center for Appropriate Dispute Resolution in Education.

[Guidance Regarding Discipline of Special Education Students](#) Oregon Department of Education (2019)

Related Resources

The [Technical Assistance Center on Positive Behavioral Interventions and Supports \(PBIS\)](#) provides schools and districts with resources and training related to positive behavioral interventions and supports, including strategies for reducing informal removals. The PBIS website provides resources, research, and tools to help schools implement an evidence-based, multi-tiered approach to improving behavior.

The [National Science Teaching Association \(NSTA\)](#) provides descriptions of challenging behaviors along with strategies to address them.

The [National Center for Pyramid Model Innovation \(NCPMI\)](#) provides strategies to promote positive social, emotional, and behavioral outcomes, reducing the use of inappropriate discipline practices, and promoting family engagement for children ages birth to five.

[Northwest PBIS Network](#) provides professional development and support in all things PBIS & MTSS, including Restorative Practices, Interconnected Systems Framework (Mental Health in Schools), Equity in Discipline, Early Childhood PBIS, and more.

[Basic FBA to BIP](#) is a series of online learning modules hosted by Portland State University for all staff in the school setting about basic function of behavior and how to support a BIP.

The [What Works Clearinghouse \(WWC\)](#), operated by the U.S. Department of Education's Institute of Education Sciences (IES), reviews and evaluates research on various educational interventions, providing evidence-based recommendations.

[Collaborative for Academic, Social, and Emotional Learning \(CASEL\)](#) is a leading organization promoting social and emotional learning, offering resources, research, and evidence-based practices for schools.

The [National Center on Intensive Intervention \(NCII\)](#) provides resources, tools, and guidance for schools in implementing intensive interventions, including those related to behavior.

[Guiding Principles for Safe, Inclusive Supportive and Fair Climates](#) identifies five guiding principles and suggests actions schools and school districts can take to create inclusive, safe, supportive, and fair learning environments.

[Positive, Proactive Approaches to Supporting Children With Disabilities: Reducing Exclusionary Practices](#) can support schools and early childhood programs in implementing positive, proactive approaches to support and respond to children’s behavioral needs more effectively.

[OSEP Resources for Reducing Exclusionary Discipline & Increasing Behavioral Supports](#) The U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS) and the OSERS Office of Special Education Programs (OSEP) has prioritized reducing exclusionary discipline and supporting the implementation of evidence-based practices that focus on prevention, intervention and behavioral strategies. Schools and early childhood programs can use the guidance to support children with disabilities and address disparities in the use of exclusionary discipline.

The [Oregon Discipline Compendium](#), prepared by the National Center on Safe and Supportive Learning Environments, presents school discipline-related laws and regulations

[Guiding Principles and Best Practices in School Discipline to Support Students’ Social, Emotional, Behavioral, and Academic Needs](#). A collaborative of technical assistance centers serving the U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Supportive Schools developed a series of four fact sheets. The series describes best practices and approaches to help support and respond to students’ social, emotional, behavioral, and academic needs, including practices designed to reduce the use of exclusionary discipline in schools. The fact sheets also feature resources to help support stakeholders in this important work.