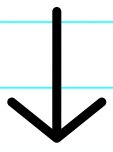
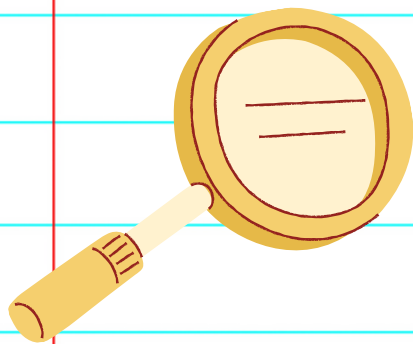
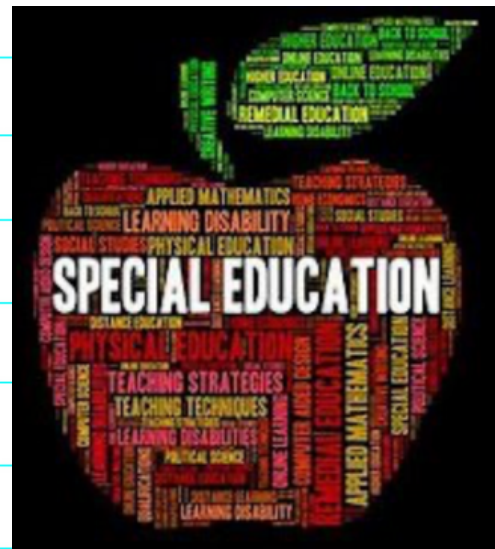


Manifestation Determination Review



MDR

The Manifestation Determination Review is an indispensable source, fostering educational fairness, ensuring that all students with disabilities are not barred from school due to behavioral challenges.



Honig v. Doe (1988)



- Landmark Supreme Court Case that protected the rights of students with disabilities under the Individuals with Disabilities Education Act.
- Jack Smith and John Doe two students who attended San Francisco Unified School District, were suspended for their aggressive disruptive behavior.

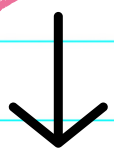
Zero Reject

No matter how severe the disability all students are entitled to a free and appropriate public education (FAPE).

Students can not be excluded from school if their disability causes their behavior.

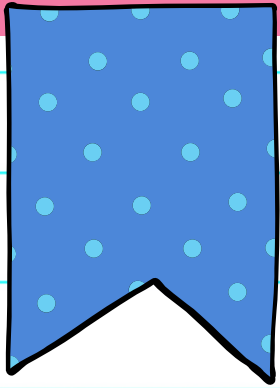
Supports-

- Inclusion for all students
- FAPE
- Child Find
- Individualized Education Plan
- Non-discrimination



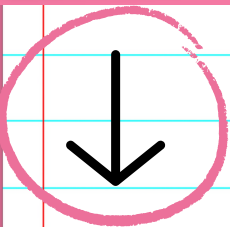
Main Concerns

- Can schools suspend students indefinitely without the consent of their parents?
- The students were denied a FAPE
- Violation of stay-put provision
- Stay put provision-students must stay in their current learning environment while legal issues or disagreements regarding their child's education are being addressed.



Manifestation Determination Review (MDR)

- Part of the Individuals with Disabilities Education Act
- If a student violates the code of conduct, the school must hold an MDR meeting within 10 days before any change of placement decisions.
- Purpose- protects students with disabilities from being unfairly disciplined for behaviors that are connected to their disability.

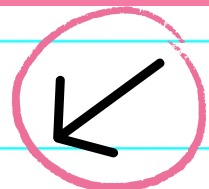


Supreme Court Ruling

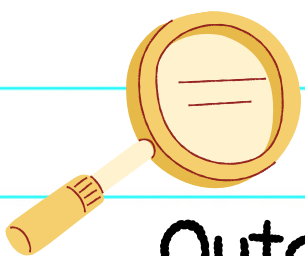
- January 20, 1988, the U.S. Supreme Court ruled that the San Francisco Unified School District Violated the Education for All Handicapped Children Act later renamed IDEA.
- Reinforced Due process and procedural safeguards rights for parents.



Similarities to 2024

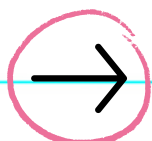


- Student v. Cuero ISD
- Cuero ISD proposed a change of placement parents did not agree to
- MDR meeting did not consider if the student's behavior was related to his ADHD.
- Parental input was not considered during the MDR meeting.
- MDR agreed to a Disciplinary Alternative Education Program for 100 days.
- Parents disagreed, withdrew student and filed due process.



Outcome

- The student did not violate the code of conduct.
- Cuero ISD can not move student to a DAEP.
- The parent's request was granted.



References

Steketee, A. M. (2024, January 13). Honig v. Doe. Encyclopedia Britannica.
<https://www.britannica.com/topic/Honig-v-Doe>

Student v. Cuero Independent School District, Docket No. 080-SE-1123, Texas Education Agency
(Jan. 16, 2024).