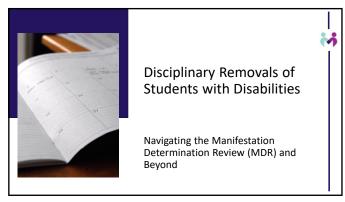


### **Special Education Mediation Services** Federally Grant-Funded Free Mandated A Grant-Funded Initiative of the Offer FREE Enables the OSE to mediation, IEP meet its obligation facilitation and under the IDEA to Michigan collaborative provide statewide Department of communication mediation services at Education Office of no-cost to schools and training to schools Special Education and parents across parents to resolve Michigan. special education disputes.

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What is a change of placement under the IDEA disciplinary regulations?

What is a change of placement under the IDEA disciplinary regulations?

What is an MDR?

When does an MDR need to be held?

When does an MDR need to be held?

Who participates in the MDR?

What happens at the MDR meeting?

What happens after the MDR?

What if I disagree with the MDR outcome or any decision regarding placement under the IDEA disciplinary regulations?



Which students are included in the IDEA's disciplinary regulations?

- Student with an IEP
- Student without an IEP, if there is a basis of knowledge

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# What is a *basis of knowledge*? 3 circumstances

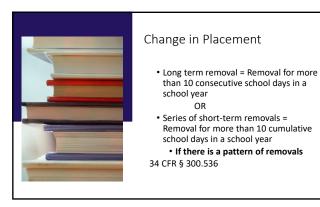
• Parent requested an evaluation in writing

- Parent expressed a need for special education services in writing to a teacher, supervisor or administrator
- School personnel expressed specific concern about pattern of behavior to special education director or supervisor, verbal or written

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# What are the 3 Exceptions to Basis of Knowledge

- The parent of the child has not allowed an evaluation
- The parent of the child has refused services under IDEA
- The child had been evaluated and determined not eligible

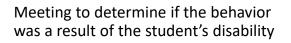


# MDR Required

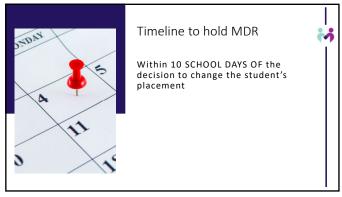
WHEN THERE IS A CHANGE IN PLACEMENT

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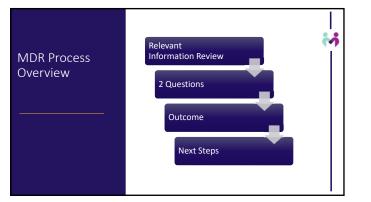
What is the MDR?

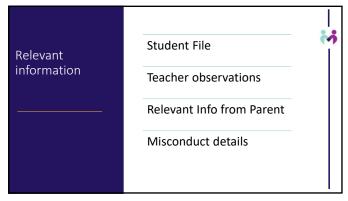


Not the Code of Conduct adjudication







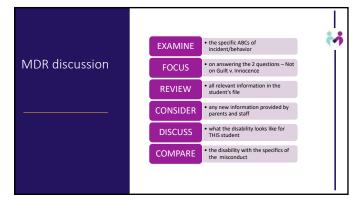


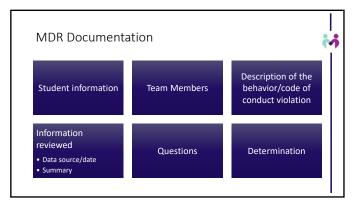
MDR Team Must Answer Two Questions:

Was the conduct in question caused by, or have a direct and substantial relationship to, the child's disability?

Was the conduct in question the direct result of the LEA's failure to implement the IEP?

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## MDRs for Students Not Yet Eligible

- Letter to Nathan (OSEP 1/29/2019)
  - The group would likely consider the information that served as the LEA's basis
    of knowledge that the child may be a child with a disability under IDEA, such
    as concerns expressed by a parent, a teacher or other LEA personnel about a
    pattern of behavior demonstrated by the child.
- Questions to ask:
  - What were the reasons for requesting the evaluation?
  - What behaviors were observed that resulted in a pattern of behavior?
  - $\ ^{\blacksquare}$  Were there any prior conversations about the parent's concerns?
  - What incidents occurred to prompt a concern or request for evaluation?
- Determine if the behavior is related to the suspected disability



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# Outcomes

Was the conduct in question caused by, or have a direct and substantial relationship to, the child's disability?

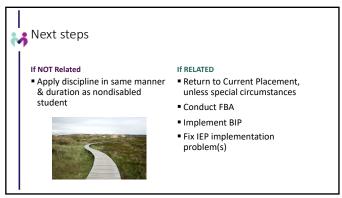
Was the conduct in question the direct result of the LEA's failure to implement the IEP? YES + YES = RELATED

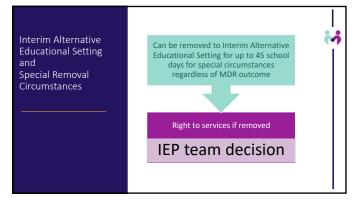
YES + NO = RELATED

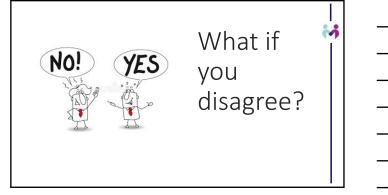
NO + YES = RELATED

NO + NO = NOT RELATED











Procedural Safeguards
DISSENT
MEDIATION
EXPEDITED DUE PROCESS HEARING
STATE COMPLAINT INVESTIGATION













# Michigan Alliance for Families Michigan Alliance for Families is an IDEA Grant Funded Initiative of the Michigan Department of Education, Office of Special Education, and Michigan's federal Parent-Training and Information Center (PTIC) funded by U.S. Department of Education, Office of Special Education Programs (OSEP). www.michiganallianceforfamilies.org 1-800-552-4821 info@michiganallianceforfamilies.org