



Buelow Vetter

Buikema Olson & Vliet, LLC

The Solution Starts Here.

Tips to ensure virtual MDRs go smoothly

While manifestation determination reviews can sometimes become heated if parents disagree about the student's misconduct being a manifestation of his disability, the nature of a virtual MDR may defuse tense feelings and keep participants focused on the matter at hand.

"It's harder to interrupt on [a videoconference] than when you're in person," said Alana Leffler, a school attorney at Buelow Vetter Buikema Olson & Vliet LLC in Waukesha, Wis. "In contentious situations, it might also be a little less intimidating for team members because they're not sitting directly across from a parent advocate or attorney. That can be helpful."

Just make sure everyone is prepared to participate in the MDR, Leffler said. You want to have time to engage in problem-solving ahead of the meeting in case any technological or other issues arise. Use these ideas to prevent challenges during virtual MDRs:

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- **Confirm that parents want to do the meeting virtually.** You may or may not be required to conduct the MDR virtually based on public safety requirements, but if you have the ability to conduct the meeting in person with safety precautions in place, make sure you give parents the option to have the meeting in person or virtually, Leffler said. Discuss the complexity of the meeting with them before deciding. If you're going to have to review video surveillance of the incident the student was involved in, for example, you may find it easier to do it one way over the other.
- **Hold a preparation meeting.** Gather together district team members without the parents to prepare for the MDR, Leffler said. Don't discuss anything that could leave you vulnerable to a claim of predetermination but go through the roles of the participants and the agenda. Determine who will lead the MDR and who will take notes during the meeting. Ensure any staff members who have special knowledge of the incident that prompted the MDR are part of the preparation. Also involve a staff member who has a good relationship with the family. "Sometimes we have to say something that may be better coming from one team member than another," she said.

Ensure every team member understands his input is important and is ready to share his input during the MDR, Leffler said. "The special education director shouldn't be surprised by any of the opinions of the team members at the MDR," she said. "You should be having conversations leading up to the meeting so the district team members have the opportunity to consider each other's viewpoints, reports, and questions in advance."

- **Address technology issues, meeting norms.** Make sure parents know what platform you're using, how and when to join the videoconference, and what to do if they have technical issues during the MDR, Leffler said. If their screen freezes or they lose connectivity briefly, for example, they should know you will bring them up to speed as soon as they rejoin. Or that you will end the meeting and reconvene another time if they are unable to rejoin. "Technology issues shouldn't frustrate good IEP discussion or decision-making," she said.

Also ask everyone to use the "raise your hand" feature or another previously agreed on way to cue the meeting facilitator when anybody has a question, Leffler said. "It's a little more natural when you're not in a room sitting together," she said.

Discourage everyone from just getting up and leaving the screen without communicating why they are leaving the meeting, Leffler said.

- **Ensure the meeting is accessible.** Check to see if the parents need accommodations to participate in a virtual meeting that they would not need in an in-person meeting, Leffler said. For example, a parent with a hearing impairment may have the appropriate acoustics in an in-person meeting to hear everyone but have difficulty hearing a virtual meeting and benefit from closed-captioning. Chatting with parents ahead of the virtual MDR to talk about their past experiences with video conferences may help you figure this out beforehand, she said.
- **Know when to take a break.** Build in breaks if the MDR goes long or you discover you need to talk separately with team members or the attorney for the district, Leffler said. Resist muting members if discussions become heated.

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