



from Equip for Equality's Legal Advocacy Program

EFE FACT SHEET – Special Education

Discipline and MDR Timeline

Immediately following any removal or suspension.	The student's parent must be immediately notified of the reasons for the removal or suspension. An IEP meeting is held to review the student's BIP.
10 days after a removal of 10 or more school days or a change in placement.	An IEP meeting is held to review the existing BIP or develop an FBA along with a new BIP.
Change of placement to an alternative educational setting (AES)	A student can be placed in an AES for at most 45 days. No later than 10 business days after the student is placed in the AES, an IEP meeting is held to review or develop a BIP or FBA.
Manifestation determination review (MDR)	If a change in placement occurs an MDR must take place no more than 10 days after the disciplinary action.
Appeal of manifestation determination review (MDR)	If a parent disagrees with MDR, the parent may request a due process hearing. A hearing will take place within 20 days of the request.
1 day after the parent requests a due process hearing	The school district will forward the request to ISBE within 1 day.
4 days after the parent requests a due process hearing	The Hearing Officer contacts the parent and the school district to arrange the Due Process Hearing.
2 days before the due process hearing	The Hearing Officer discloses and provides evidence at least two days before the hearing.
Due process hearing	The Due Process Hearing takes places within 20 days of the parent's request and lasts no more than 2 days.
2 days after the end of the due process hearing	A decision is made by the Hearing Officer within 2 days after the end of the Due Process Hearing.

DO YOU HAVE A QUESTION?

Contact Equip for Equality (all services are free of charge): 800.537.2532 (voice) or 800.610.2779 (TTY) Contactus@equipforequality.org www.equipforequality.org

This resource material is intended as a guide for people with disabilities. Nothing written here shall be understood to be legal advice. For specific legal advice, an attorney should be consulted.

Equip for Equality, an independent nonprofit organization, is the Illinois state Protection & Advocacy System whose mission is to advance the human and civil rights of children and adults with disabilities. This publication was made possible by a grant from the Chicago Bar Foundation. The contents of this publication are the sole responsibility of the authors and do not represent the official views of the Chicago Bar Foundation.

