

# MAY NEWSLETTER

## Office of Special Education



### Special Education Service Interruptions

Due to the very unique year we have experienced, it can be difficult to determine if Extended School Year (ESY) services are necessary due to building closures and school shutdowns. As the year comes to an end, and we wrap up services for the year, CCC's will look at the progress and services for each student throughout the school year. ESY services will then be determined if service interruptions have been made, or if a student would benefit from ESY services due to IEP goals or a fear of regression.

### Recovery Services

Recovery Services are being implemented more than ever before due to the impact of Covid-19. Recovery Services are termed as additional services implemented due to educational gaps, or loss of skills due to unforeseen circumstances. Schools can determine how the skills will be introduced, and can interweave them into the MTSS plan. It is important that this information is tracked, monitored, and turned over to the CCC to ensure that services are meeting FAPE. These services do not have to be made up minute-to-minute, and it is important to note that they are *not* ESY services.

### Compensatory Services

If a school has failed to provide a student with a disability services when services were available, then the student is entitled to compensatory services. This occurs when there has been a violation of FAPE, Article 7, or the IDEA. These services may be voluntary after a school becomes aware of any failure to provide services, or it may also be ordered through a due process hearing or complaint investigation.

### Extended School Year Services

A Case Conference Committee will determine the need for ESY services, as well as ensuring that services are consistent with a student's IEP. All students with an IEP are not required to receive ESY services, however the determination of needed services is required for every student with a disability. ESY Services have been used in enforcing the provision of a free appropriate public education (FAPE), and a school may not limit services to a specific eligibility category. Summer school may be advisable for some students with an IEP, but is not considered an ESY service. IF summer school is written in an IEP, then extended ESY services must be made available to the student as well.

According to Article 7, Extended School Year Services (ESY) are defined as "Special education and related services that:

- (1) Are provided to a student with a disability:
  - (A) Beyond the normal school year or instructional day of the public agency;
  - (B) in accordance with the student's IEP; and
  - (C) at no cost to the parent or student; and
- (2) Meet the standards of the department of education." 511 IAC 7-32-39

### Helpful Resources

- [Article 7](#)
- [FAPE](#)
- [IDEA](#)
- [Extended School Year Services Decision-Making Guide](#)

**Include this form with a student's IEP when determining Extended School Year Services**



### Office of Special Education

925 North Meridian Street  
Sunman, IN 47041  
812-623-2291