

Special Education Planning Tips for Summer 2021

The purpose of this resource is to support administrators, educators, families, students, and other school partners with planning for transition into summer 2021 and next school year. As a result of the pandemic, all students across Washington state have experienced unprecedented interruption to in-person learning. As schools continue these planning activities and supports specific to students with disabilities, here are a few key points and considerations:

Evaluations and Eligibility

- Individualized Education Program (IEP) – Initial IEPs must be completed within 30 calendar days of the date that initial eligibility is established, even though school may not be in session. This can be a challenge during the summer, so be sure to plan ahead.
- Early Childhood Transitions – Timelines related to initial evaluation and IEP development by the third birthday for students transitioning from early intervention (IDEA Part C) into special education preschool services (IDEA Part B) are still in play over the summer even though school may not be in session. [Additional resources are available on the Early Childhood Special Education \(ECSE\) webpage.](#)
- Independent Educational Evaluation (IEE) – Districts must either respond to a request for an IEE by granting the request at public expense and ensuring the IEE is provided without unnecessary delay, or initiating a due process hearing within 15 calendar days to show that the district evaluation was appropriate. This timeline applies over the summer. Districts should also continue to monitor COVID-19 health and safety requirements as these requirements may impact the timely completion of an IEE and continue to maintain open communication with parents and IEE providers to address any potential delays due to COVID-19.

Recovery Services

- Families and educators are currently working to identify learning recovery and recovery service needs for the remainder of this school year, during summer 2021, and into next school year and beyond. While schools may need to continue collecting data and addressing recovery learning into next school year and beyond, **discussions and planning should be happening now, as well as providing those services.**
- Recovery Services: This term has been used by OSPI to describe services and supports provided to students with disabilities to address the ongoing impact of the COVID-19 pandemic and spring 2020 school facility closures.
 - Recovery services are provided to students with disabilities who have experienced instructional loss and compensatory education services provided to students with disabilities who did not make expected progress on IEP goals. There is no



requirement that recovery services be provided in the same amount that was missed (i.e., minute for minute, hour for hour).

- Recovery services can be provided outside of the district's school day, including during the summer, or be reflected in the IEP as increased or additional services. For recovery services provided during the school day, IEP teams should consider any potential impacts on least restrictive environment (LRE).
- For more extensive guidance from OSPI on recovery services, refer to [Q&A: Provision of Services to Students with Disabilities During COVID-19 in the 2020–21 School Year](#) (see Section B, starting on page 11) and [Reopening Washington Schools 2020: Special Education Guidance](#) (see pages 7–8).
- Additional Resources for Learning Recovery and Recovery Services:
 - [NCLD \(2021\) 9 Recommendations for Inclusive Learning Recovery for Students with Disabilities](#)
 - [COPPA FAQ on Compensatory Education in the time of COVID-19](#)
 - [Considerations for Recovery Services \(Iowa\)](#)

Summer School and ESY

- Summer Programming: Districts have always provided a variety of educational programs and supplemental instruction during the summer. These programs include credit recovery, literacy camps, extended school year (ESY) services for students eligible for special education, and more.
 - This year, districts are considering ways of expanding summer school programming to address a variety of needs, including to provide recovery services during the summer.
 - Seniors in the classes of 2020 or 2021 who are behind in credits needed for postsecondary preparation or want to take courses that would result in meeting a Graduation Pathway can take summer school and still graduate according to the new SBE emergency graduation waiver rules. For more information, see the SBE [Emergency Waiver Page](#) or question #9 in the SBE's emergency waiver [FAQ](#).
 - Students with disabilities should have opportunity to participate in summer enrichment/remediation programming available to all students. Districts should plan for accommodations needed by individual students for them to participate.
- Extended School Year (ESY): ESY services are intended to support students with maintaining IEP skills during school breaks, if without them, the student is not provided with a FAPE. An individual student's need for ESY is determined annually by the IEP team based on data that show regression or lack of recoupment of progress on IEP goals within a reasonable amount of time after a break from school. However, the determination could also be made based on the consideration of other factors, including the nature and severity of the student's disability, rate of progress, and emerging skills, with evidence to support the need.

- ESY services are not limited to the summer breaks. While this is generally the longest break from the normal school year, ESY services may be needed during shorter breaks (such as winter and spring holiday breaks) of one or two weeks in length. ESY services can even be an extension of the student's normal school day.
- **Districts are reminded, however, that the process for determining need for ESY services is separate and apart from any determination about recovery services, including compensatory services, that were initiated due to the pandemic.** This is because IEP team determinations regarding ESY are prospective, and ESY is not intended to make up for a past denial of FAPE.
- For more information on taking data to prepare for ESY decisions, see the May 2018 Tip on [Extended School Year \(ESY\) Decisions](#).

Fiscal and Data

- Special Education Federal Fund Applications – With the launching of the Education Grants Management System (EGMS), we will be implementing the Pre-Application process for Part B IDEA Sections 611 and 619 grant applications. Pre-applications must be submitted by July 1, 2021 to obtain Substantially Approvable Status (SAS) and allow for obligating funds on July 1, 2021. Currently, we are scheduled to publish the announcement for the grant application on June 1, 2021. The complete application, which must include the required documents, is due on September 1, 2021. Please confirm receipt of approval and/or respond to feedback from the OSPI reviewer to ensure timely access to federal special education funds. If new staff are completing the application and/or should receive application notifications, please update the contact information in EGMS.
- Timely and Accurate Reporting (Data Performance Profile Indicator B18) – There are three special education reports with summer due dates – Initial Evaluation Report (Indicator B11), Early Childhood Transition Report (Indicator B12), and Early Childhood Outcomes (Indicator B7), all due in July. Does the district have a new special education administrator starting? Is there a plan for timely submittal of these reports?

Dispute Resolution

- Dispute Resolution Protocols – Timelines for responding to community complaints, due process, and if applicable, decisions with corrective actions continue through the summer as well. Does the district have an individual designated to respond to any dispute resolution responsibilities during the course of the summer?

If you have questions about planning for and beyond the summer months, don't hesitate to call the Special Education main line at 360-725-6075 and ask to speak to a Program Supervisor.



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