

E 'Specially' DECS

**A weekly email update from the Division of Exceptional Children Services
to Directors of Special Education on current issues, information and events.
February 11, 2005 - Volume 1, Number 40**

Question of the Week: (Answered by Preston Lewis)

I would like to get information on KYs procedures for Extended School Year for exceptional children. It is addressed at the IEP meetings, but I cannot find any forms or information on the website. I know that it has to be because of IDEA, but it seems that that is as far as it goes. I have even been told that my county does not have ESY for special needs children and that KY doesn't interpret IDEA like the other states. I have researched many websites that give guidelines established by litigation throughout the country, but cannot find any information from KY. Can you please give me an idea of where to look for this information?

Answer: This is in response to your question about requirements related to Extended School Year (ESY). Our only reference is in Kentucky Administrative Regulations (KAR):

(707 KAR 1:280)(25) "Extended school year services" means specially designed instruction and related services that are provided to a child with a disability beyond the normal school year in accordance with a child's IEP at no cost to parents.

(707 KAR 1:290)

Section 8. Extended school year services. A LEA shall ensure that extended school year services are available to each child with a disability, as necessary, to provide FAPE. The determination of the need for extended year services shall be made on an individual basis. In making this determination, the LEA shall not:

- (1) limit the provision of extended year services to a particular category(s) of disability; or
- (2) unilaterally limit the type, amount, or duration of those services.

Each local school district should have their own written procedures for how eligibility for ESY is determined within their local schools. You can request a copy of the District's policies/procedures for ESY by contacting the local director of special education.

ESY is an option for eligible students in any school district in KY. If the student's ARC team determines that ESY is needed in order for the student to receive a Free and Appropriate Public Education (FAPE), then the child is entitled to such services.

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The Question of the Week will be an on-going feature of E 'Specially' DECS. If you have a special education question that you believe would be of general interest to other Directors of Special Education, email your suggestion to Sammie Lambert at slambert@kde.state.ky.us

New DECS Staff

Please join us in welcoming two new people who have joined DECS. Rhonda Bailey is a consultant in the Program Services and Practices Branch. She is taking Brenda Rue's former position.

Katie Hamilton is also a new employee in the Program Services and Practices Branch. Katie replaces Rachel Travis as a secretary for the branch.

Contact Information for E 'Specially' DECS

- Sammie Lambert at slambert@kde.state.ky .us for information on newsletter content.

- Chris Thacker at 502 564-4738 for technical difficulties in receiving E 'Specially' DECS.

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Forwarding of E 'Specially' DECS is not only allowed, it is encouraged. Please send to staff in your district who may be able to benefit from this information.