



Office of the



State Superintendent of Education

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

DIVISION OF SPECIAL EDUCATION

EXTENSION OF PUBLIC COMMENT PERIOD

and

NOTICE OF PUBLIC HEARING

Tuesday, January 25, 2011

810 First Street, NE

3rd Floor

Washington, DC 20002

6:00pm – 8:00 pm

The Office of the State Superintendent of Education (OSSE), Division of Special Education has extended its public comment period and will hold an additional public hearing to discuss two proposed state policies, entitled “Extended School Year Services Policy” and “Special Education Transportation Services Policy.”

As OSSE is a recently established state education agency (SEA), this is the first time that formal policies are being established for extended school year (ESY) and special education transportation. These proposed policies establish state-level standards and criteria for extended school year (ESY) and special education transportation services that are consistent with the Individuals with Disabilities Education Act (IDEA) requirement to provide a free appropriate public education (FAPE) to all students with disabilities.

The proposed policies on ESY and special education transportation were posted for public comment on Tuesday, November 23, 2010. Two public hearings were held on Tuesday, November 30, 2010 and Tuesday, December 7, 2010 on these proposed policies. The comment period has been extended to 9 AM, February 7, 2011. All comments received by 9AM, Monday, February 7, 2011 will be considered. OSSE is also hosting an additional public hearing on January 25, 2011.



The following summary provides an overview of the proposed policies. Please note that this overview is provided for informational purposes only. Persons are encouraged to read the proposed policies for full detail.

Extended School Year (ESY) Services Policy

- Clarifies the difference between ESY Services and Summer school. Whereas summer school may be provided to all students who require additional academic support, a student's need for ESY services must be determined and implemented through the student's Individualized Education Program (IEP);
- Establishes eligibility criteria for the IEP Team to apply in determining ESY eligibility. **Criterion 1:** *Impact of Break in Service on Critical Skills*; **Criterion 2:** *Degree of Regression of Critical Skill*, and **Criterion 3:** *Time Required for Recoupment of Critical Skill*;
- Requires that IEP Teams consider student progress data to quantify, to the extent possible, the likely impact of a break in service on educational benefit;
- Establishes requirements for the development and documentation of ESY IEP goals for each identified critical skill;
- Establishes the responsibilities of LEAs related to participating in, and certifying, ESY decisions; and
- Addresses compliance and monitoring required of a State Education Agency (SEA).

Special Education Transportation Services Policy

- Defines transportation as a related service and specifies what it includes;
- Establishes eligibility categories for special education transportation. Eligibility **Category 1:** Medically Fragile Students (MFS) Requiring Transportation to Access FAPE. Eligibility **Category 2:** Students Requiring Structured Transportation Supports (STS) to Access FAPE; and Eligibility **Category 3:** Students Accessing FAPE Outside of the Neighborhood School (ONS);
- Addresses transportation that has been ordered by a District of Columbia Court;
- Establishes criteria for assigning related service providers on busses;



Office of the



State Superintendent of Education

- Defines the criteria for providing students with travel training when appropriate;
- Addresses Local Education Agency (LEA) documentation of eligibility determination and service designation;
- Defines the use of any assistive devices that a student will be utilizing on the bus, and specifies LEA and parent obligations related to providing these devices;
- Addresses programmatic and administrative requirements related to route planning (e.g. pick-up and drop-off locations and times, transportation to school locations for special education and related services);
- Addresses LEA requirements related to the submission of documentation to OSSE's Department of Transportation;
- Establishes a responsibility for LEAs to certify eligibility for transportation; and
- Addresses compliance and monitoring required of a State Education Agency (SEA).

Persons wishing to review these proposed policies may access them on the OSSE webpage at www.osse.dc.gov under Special Education Programs. The proposed policies as well as all of OSSE's special education policies and regulations can also be accessed by clicking [here](#).

Individuals wishing to testify at the hearing should contact Desirée Brown, State Advisory Panel Coordinator and Public Outreach Specialist, at 202-741-0271 or by e-mail at desiree.brown@dc.gov no later than 5 PM on Tuesday, Friday, January 21, 2011 to be added to the witness list. Each individual presenting in person will be limited to five (5) minutes in an effort to allow all individuals an opportunity to be heard. Individuals representing an organization will be limited to a total presentation time of seven (7) minutes.

Individuals who wish to submit comments as part of the official record should send copies of the written testimony and statements no later than 9AM on Monday, February 1, 2011 for proposed policies on ESY and Transportation to:

Tamera Lewis, Assistant Superintendent of Special Education
c/o Desirée Brown
Office of the State Superintendent of Education, Division of Special Education
810 1st St. NE - 5th Floor
Washington, DC 20002
or



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e-mail to osse.publiccomment@dc.gov

Individuals who do not register with OSSE prior to the hearing may testify based upon a first-come first-serve basis as time permits within the timeframes announced for each hearing. On-site assistance with registration will be available prior to each hearing.

Individuals may request an accommodation for a physical disability or language access in order to participate in the public hearing by contacting Desirée Brown no later than 5 PM on Tuesday, January 18, 2011 for the January 25, 2011 public hearing.