

# Shortened School Days for Students with IEPs

**Marge Resan**  
**Wisconsin Department  
of Public Instruction  
Special Education  
Team**

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Carolyn Stanford Taylor, State Superintendent

# Important Terms



**IEP – Individualized Education Program**

**LEA – Local Education Agency – usually the school district but occasionally a different entity – for example, the Department of Corrections is an LEA**

**DPI – Wisconsin Department of Public Instruction**

**FAPE – Free, Appropriate Public Education**

# Special Education

**Under Wisconsin law, *special education* means specially designed instruction, regardless of where the instruction is conducted, that is provided at no cost to the child or the child's parents, to meet the unique needs of a child with a disability, including instruction in physical education**



# What is FAPE?

**A free appropriate public education as defined by IDEA means special education and related services that:**

- **Are provided at public expense under public supervision and direction;**
- **Meet the standards of the department and Part B of IDEA; and**
- **Are provided in conformity with an IEP.**

# Who is responsible for FAPE?

- *Thayer* rule
- Residential Care Centers
- DOC
- Jails, hospitals
- [DPI Residency Information](#)



# Rowley and Endrew F

- **Rowley (1982)**: The IEP must be reasonably calculated to enable the student to receive educational benefit.
- **Endrew F (2017)**: The IEP must be reasonably calculated to enable a student to make progress appropriate in light of the student's circumstances.



# FAPE

- **Districts must provide FAPE to each student with a disability by developing a program based on the student's unique needs that is reasonably calculated to enable the student to make progress appropriate in light of the student's circumstances, documenting that program in the IEP, and implementing the program articulated in the IEP.**

# Placement: Changes

- **All placement changes require an IEP team meeting**
- **Includes physical location changes as well as changes in services that may result in the student spending more or less time in the regular education environment**



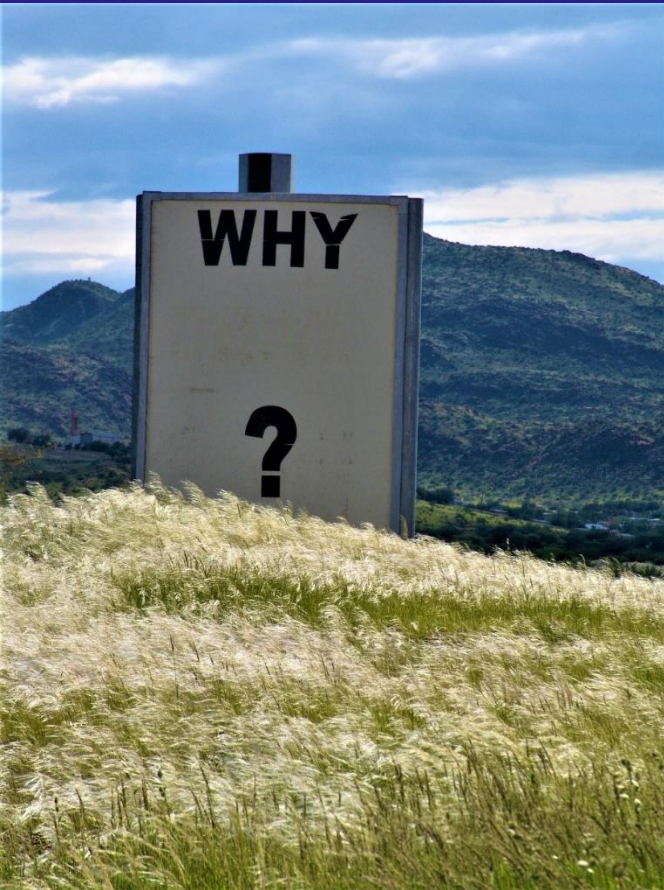
# Placement

- Reviewed and determined at least annually
- Least Restrictive Environment - In determining placement, schools must ensure to the maximum extent appropriate, students are educated with students who are nondisabled.
  - Educated in the school that he or she would otherwise attend if nondisabled unless IEP team determines otherwise.
  - Removal from regular educational environment should only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- Districts must offer a continuum of placement options.

# Shortened School Day

- **In general: same hours and minutes as students without disabilities**
- **Nondiscrimination**
- **Compulsory School Attendance**

# Shortened School Day



- **IEP team decision made during an IEP team meeting**
- **Limited amount of time**
- **IEP must explain why appropriate, and include a plan to return to full day ASAP**

# Shortened School Day FAQ

- Shortened day for all students with disabilities?
- Shortened day due to transportation schedules?
- Shortened day because of administrative/ staffing issues?
- Shortened day upon request of parent or to accommodate outside treatments/therapies?
- Shortened day to manage behavior or as discipline?



# IEP Documentation – Where?



- **Where?**
- **On the IEP...somewhere...anywhere!**
- **Present Levels, Program Summary, Notice of Placement...**

# Questions?

