



# Referrals During Summer and School Breaks

- » LEAs MUST accept and respond to initial referrals for all children, that may occur during the summer months or extended school breaks
- » Federal regulations require that LEAs respond to all initial referrals within 15 calendar days, with an assessment plan or a prior written notice that an assessment plan will not be completed, with reasons.
- » The parent has 15 calendar days to respond to the assessment plan or letter
- » LEAs may not defer initial assessments and IEP meetings are not suspended because of a school break [34 CFR Section 300.301(d)]

## Recommendations:

- Hold transition conference early enough to allow time for LEA evaluations and IEP meeting to take place prior to the school break
- IEP Teams must consider Extended School Year (ESY) at each child's IEP meeting, including those who turn 3 during the LEA's summer break. Be proactive in sharing calendars and information with parents
- Even if the IEP team determines that ESY services are not needed or parent prefers to delay start of services until the new school year, the IEP is considered "implemented" by the 3rd birthday, as the meeting has been held, and if appropriate services have been offered.

*IDEA's Regulations at Section 303.209 is titled "Transition to preschool and other programs" and has the following italicized lead-ins to its paragraphs: paragraph (b) Notification to the SEA and appropriate LEA; paragraph (c) Conference to discuss services; paragraph (d) Transition plan; paragraph (e) Transition conference and meeting to develop transition plan; paragraph (f) Applicability of transition requirements.*



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