

MINUTES

Harford County SECAC

May 1, 2025

In Attendance

Jeanne Erdley SECAC Chair, Suzanne Oshinsky SECAC Co-Chair, Colleen Sasdelli, Jeff Hoffman, Megan Fitzgerald, Kim Heeter, Carie Sadowski, Shilpa Narayan, Jessica Huba, Pauline Timmons, Ann Clapham, Ashley Freeman, Dorothy Cline, Gail Stone, Katie York, Lo-An Fine, Lu Zhang, Sarah Coard, Richard Rapuano, Tiffany Cline, Marley Nickle, Samuel Kayode, Sarah Walter, Shannon Harrison, Yvette Shelton

Welcome and Information Share

- I. Welcome from the SECAC Board and Introductions.
 - II. SECAC reminded all participants that the SECAC election process would begin at 7:00pm. If anyone is thinking about stepping up for a SECAC Board position, you can self-nominate.
 - III. This is SECAC's last meeting for the 2024-25 school year.
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Director of Special Education – Colleen Sasdelli

- 1) The SECAC election is tonight. This is an important event. Please consider your involvement. Colleen thanked Jeanne and Suzanne for their service on the board and said that SECAC is a space to support each other and come together monthly to support families and promote partnerships.
- 2) The MSDE Special Education Parent Involvement Survey is happening now. (The link was shared in the chat <https://www.mdparentsurvey.com/>). Please fill out and submit your responses. Your voice matters.
- 3) This is #mentalhealthmatters month.
- 4) Special Education did not lose any positions in the budget cuts. There will be a reallocation of special education positions within the schools for the next school year and this plan is still being developed. At the September SECAC meeting, this reallocation will be more thoroughly discussed.
- 5) In-District Classroom - This is run by SESI (parent of High Roads School) and HCPS partners for some related services such as SLP and OT. The teachers and administrators

are Highroads staff, and the program is accepting primarily elementary, but also some middle school aged students. Highroads has small classrooms, de-escalation areas and behavioral supports.

SECAC Elections

Following the SECAC Bylaws (which are below), the election process started:

Article VII	Elections	
	Section 1:	Nominations for officers will be accepted from the April meeting through the ballot casting at the May meeting.
	Section 2:	Election of officers shall take place at the regular May meeting. All elections are decided by majority rule by members present using a written ballot. When necessary, run-off elections shall be held among the nominees receiving the two highest numbers of votes. When only one candidate is nominated for an office, election may be by verbal vote.
	Section 3:	Any person in attendance at the meeting where an election is being held may vote for officers.
	Section 4:	The transfer of board officers shall take place on the last day of the Committee Year.

Announced nominations from emails received at harfordcountyscac@gmail.com as instructed in many communication formats were::

Chairperson:	Dannie Keith
Co-Chairperson:	Tiffany Gordon
Secretary/Treasurer:	Norman Cleghorn, Dannie Keith

Each nominee was sent an email confirmation of their participation in the SECAC election. Danny submitted a short biography that was shared but could not be present. Tiffany and Norman were not present and had not submitted a biography.

SECAC announced the floor was open for additional nominations. After some deliberations over nominations sent via text to a non-SECAC board member, SECAC followed the Bylaws and did not accept those nominations. Then there was a floor nomination by Megan Fitzgerald for Katie York as Chairperson. Katie York did accept. Katie York did write in chat a short biography.

The ballot was then finalized and placed in chat at approximately 7:17pm. Nominations from the floor had ceased per bylaws as the ballot was cast. At the end of the meeting, the results of the election announced was as follows:

Chairperson:	Katie York
Co-Chairperson:	Open (no majority)
Secretary/Treasurer:	Dannie Keith

During the September 2025 SECAC meeting, there will be an election for the Co-Chairperson with announcements starting August 2025.

Presentation #1 – All About Extended School Year (ESY)

Jeff Hoffman, HCPS Special Education Coordinator of Training and Technical Assistance
Student Support Services

7:30pm

ESY 101: Answers for Informed Advocacy

Our Topics: ESY Myth Busting, What is Extended School Year?, Eligibility Criteria and Final Tips & Takeaways

ESY Myth busting using [Mentimeter.com](https://www.mentimeter.com)

- 1) ESY is just summer school for kids with IEPs. This is a myth. ESY actually can occur at any time of the year. National standards usually are during the summertime. It's a little bit more than just summer school. Summer school, like we have had it, is to extend learning and to provide new learning for students. ESY is very individualized and tailored to your child's IEP and is designed for maintenance of those skills.
- 2) Students are eligible for ESY if they have regressed on skills and have difficulty recouping skills. This is not a myth. Recoupment and regression are two big factors that we consider in ESY but they're not the only factors.
- 3) The Individuals with Disabilities Education Act (IDEA) explicitly defines critical life skills that require ESY. This is not a myth. In IDEA, they talk about what is a critical life skill, but they don't say reading phonemes is a critical life skill or self-management skills are critical life skills. They give examples of what they could be. I should clarify that specific self-management skills like being able to organize your tasks and plan and initiate tasks as those critical life skills. It is up to the IEP teams to determine that. The way the law is written, it's open to interpretation for teams to really make individualized decisions for students.
- 4) Regression and recoupment of only academic skills targets on the IEP are required for a student to be eligible for ESY. This is a myth. Regression and recoupment are only the academic skills targeted on the IEP for ESY eligibility. There are other critical life skills that can be found to be eligible for ESY and be supported.

What is Extended School Year (ESY)?

- Extended School Year (ESY) services are a component of Free and Appropriate Public Education (FAPE).
- IEP teams are required each year to consider ESY services.
- Individualized services beyond the calendar year.
- Designed to enable students to maintain skills on specific goals and objectives within the IEP annual cycle.

Eligibility for ESY

Necessary when the benefits a child with a disability gains during the regular school calendar will be significantly jeopardized if the child is not provided with an educational program during regular school breaks. [34 CFR §300.106; COMAR 13A.05.01.09A(2)]

How do we measure “significantly jeopardized?”

1. Regression and Recoupment
2. Critical skills test. (behavioral, social emotion, etc.)

Both should be considered for ESY determination. The critical skills are important for academic progress and are important at reducing dependency on you, the caregivers in the future. Regression and Recoupment are open to a lot of interpretation and that’s why it’s critical that IEP teams really use a plethora of data sources to think through the decision.

Legal Precedents

- DiBuo v. Board of Education of Worcester County (4th Cir. 2022)-
 - “ESY services are only necessary to a FAPE when the benefits a disabled child gains during a regular school year will be significantly jeopardized if he is not provided with an educational program during the summer months.”
 - ESY services are not provided to enable a student to make “additional progress on unmastered skills. But to maintain those skills already learned during the regular

school year.”

(MSDE Technical Assistance Bulletin #23-02)

- MM v. School District of Greenville County (4th Cir.2002)-
- “The mere fact of likely regression is not a sufficient basis to receive ESY services because all students, disabled or not, may regress to some extent during lengthy breaks from school.”

(MSDE Technical Assistance Bulletin #23-02)

How do teams make this decision?

First of all, it’s got to be grounded in the IEP. Included in the presentation is a training IEP, not a real student. All of the decisions need to be based on the questions that are on this page of the IEP (ESY). Understanding these questions, on the ESY IEP page) is critical and if one of these questions is answered, Yes, the student can be considered for extended school year services. It is a consensus of the IEP team to make that decision. At the very bottom of this page is where we will define not only the eligibility for that student but what areas will be addressed.

Our compliance standards really require our case managers and our teachers to define in broad terms the areas addressed like reading, written language and speech but know in the document itself you will be able to pinpoint what specific goals and services are being addressed through ESY.

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EXTENDED SCHOOL YEAR (ESY)

The IEP Team should determine if any of the factors below will significantly jeopardize the student's ability to receive some benefit from the student's educational program during the regular school year, if the student does not receive ESY services. ESY services are the individualized extension of specific special education and related services that are provided beyond the normal school year of the public agency, in accordance with the IEP, at no cost to the parents.

When considering ESY, answer YES or NO and document the decision:  
1. Does the student's IEP include annual goals related to critical life skills? Yes  
Discussion to support decision:

A critical life skill is any skill determined by the IEP team to be critical to the student's overall educational progress. Currently, Shane does have IEP goals related to critical life skills in the areas of reading decoding, math calculation, written language mechanics, written language expression, articulation and supports required due to needs in self-management. IEP progress reports indicate that Shane's deficits in reading decoding and written expression impacts his progress in all content areas. The IEP team determined that reading decoding and written expression are critical life skills that affects his ability to understand and respond appropriately. In addition, Shane's moderate speech-articulation affects intelligibility in conversational speech. Speech articulation errors impact the accuracy with which Shane is able to express his thoughts and ideas verbally in academic and non-academic settings; as a result, the Team determined this to be a critical life skill as well.

1a. Is there a likely chance of substantial regression of critical life skills caused by the normal school break and a failure to recover those lost skills in a reasonable time? No  
Discussion to support decision:

Based on progress report data collected quarterly and current classroom performance, Shane does not demonstrate signs of substantial regression of skills over a period of time. He is able to recoup any lost information within a 2 week time period, which is a reasonable amount of time.

1b. Is the student demonstrating a degree of progress toward mastery of IEP goals related to critical life skills? Yes  
Discussion to support decision:

Shane is showing progress toward his IEP goals, and the IEP team feels ESY services are required in order to continue his progress toward decoding, written expression and articulation. His progress in the area of reading decoding and written expression has been improving as he has been receiving direct instruction through his special education services in addition to a reading intervention program (Systematic Instruction in Phoneme Awareness, Phonics, and Sight Words - SIPPS). The IEP team feels it is necessary to continue this progress during ESY.

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INDIVIDUALIZED EDUCATION PROGRAM (IEP) III. SPECIAL CONSIDERATIONS AND ACCOMMODATIONS

MARYLAND STATE DEPARTMENT OF EDUCATION (MSDE) DIVISION OF  
EARLY INTERVENTION AND SPECIAL EDUCATION SERVICES DRAFT TRAINING  
(Form approved by MSDE for use July 1, 2022)

Name: Shane Michael Trainer Agency: Harford IEP Team Meeting Date:

3. Are there significant interfering behaviors? No  
Discussion to support decision:

Although Shane's IEP does address needs related to self-management, there are not any goals that address significant interfering behaviors. At this time, Shane is able to interact with peers appropriately with supports provided from the special education staff. He is cooperative and works toward his goals. He does not demonstrate any significant behaviors that would necessitate ESY services.

4. Does the nature and severity of the disability warrant ESY? No  
Discussion to support decision:

The nature and severity of his disability does not warrant ESY.

5. Are there other special circumstances that require ESY? No  
Discussion to support decision:

At this time, there are no other special circumstances that would warrant ESY services.

After considering the above questions, will the benefits that the student receives from his/her educational program during the regular school year be significantly jeopardized if the student is not provided ESY? YES, student is eligible for ESY service  
Document basis for decision(s):

Based on the IEP discussions related to the Extended School Year considerations, IEP progress reports, and classroom-based data collection, the IEP team determined that Shane does qualify for ESY services. Shane requires continued services in the critical life skill areas of reading, written language and speech due to its impact across all content areas. Without these services, Shane's educational progress will be jeopardized. Shane will attend ESY during the Summer of 2020

Questions from the IEP ESY page:



## Question #1

### 1. Does the Student's IEP have annual goals related to critical life skills?

Any skills determined by the IEP team to be critical to allowing the student to function independently. (COMAR 13A.05.01.03B(15))

#### 1A) Review of the Data to answer: Regression and Recoupment

What is being sought by this is the degree of the student's progress over periods of time on those annual goals related just to those critical life skills and then determine will they be significantly impacted by breaks in the regular school calendar.

1B) Progress towards mastery. This is very confusing. The reason why it's in here is that Courts have shown and have said that if a student is not making progress on an IEP goal, not even any kind of progress that they can't regress then. The IEP is not calculated for educational benefit. So, there should be some degree of progress towards one of those critical life skills for regression to occur for that student to be eligible for extended school year services. The avenue that needs to occur, and this will be in the technical assistance bulletin I'm going to share with you at the end of the presentation, is that there needs to be a new IEP. That IEP needs to be revised whether it's amended or we're looking at new data. If the student is not making any significant progress at all and is stagnant on that critical life skill IEP goal or any IEP goal, we need to be recalculating and that's what's required of us under federal law. So that question is really to look at that standard to make sure that there has been some progress so that we can document that some of that progress has regressed over extended periods of time and then the team decides, OK, now that we've had that extended period of time and we've seen that regression. What's reasonable for us to expect for that student to recoup those lost skills?

## Question #3

### Significant Interfering Behaviors

Courts have held that significant self-injurious, stereotypic, ritualistic, and aggressive behaviors that interfere with a student's learning are factored into eligibility.

Impedes progress overtime.

## Question #4

## The Nature and Severity of the Disability

- ESY decisions are not solely based on a disability category.
- More severe or profound disabilities may need year-round support.
- Teams should consider the student's individual circumstances.
- Decisions must still be individualized and data driven. Not based on blanket policies.

Johnson v. Independent School District No. 4 (10th Cir. 1990)

Reusch v. Fountain, 872 F. Supp. 1421 (D. Md. 1994)

Battle v. Commonwealth of PA (1993)

This is typically used for those students who have those severe and profound disabilities who need year-round support. What behaviors interrupt their learning and take away from academics like ritualistic, rigidity or compulsions.

### Question #5

#### Special Circumstances

- Enables IEP teams to make an eligibility determination when the other factors are in play that jeopardize programming
- Special Circumstances could include, but are not limited to:
  - Unusual family circumstances
  - Excessive absences due to prolonged illness or transience
  - Late entry into school due to a circumstance

Oftentimes, IEP teams overlook this because they've already gone through regression and recoupment, they've already looked at nature and severity and they've looked at the significant interfering behaviors. There are some students through special circumstances that could dictate they need the extension or they're going to be jeopardized to have progress on their IEP goals.

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What if this is my child's 1st IEP or a newly revised IEP?

- We still make the determination.
- IEP teams must determine eligibility for ESY for every student with an IEP
- Eligibility for ESY is a data-driven decision.
- Dependent on the data available for review, the team may “defer” the decision.

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## **Tips and Takeaways to Prepare**

- Understand your child’s progress reports
- Consider which goals are critical life skills
- Note when/if regression occurs
- Consider which skills require maintenance
- Multiple Sources of data

MSDE Technical Assistance Bulletin #23-02

[https://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/23-02\\_TAB\\_ESY\\_508\\_RWS-BR\\_052223.pdf](https://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/23-02_TAB_ESY_508_RWS-BR_052223.pdf)

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## **Presentation #2 – The Basics of Supporting Your Student Outside of the School Setting**

**Megan Fitzgerald, HCPS Partners for Success**

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8:00pm -The Basics of Supporting your student outside of the School Setting  
Megan Fitzgerald HCPS, Family Coordinator for Partners for Success, the parent resource center

### The Vision

Megan first talked about the section of IEP for Parental Input, where you talk to your team about your vision, goals for and what engages or challenges your student. From year to year, this input is the first time in the new school year that the grade level team is meeting your child. What barriers exist and what can you change to achieve the desired goal?

Next she shared a YouTube video "Visualizing Your Child's Future: A Transformative Exercise with Dr. Caitlin Solone," which involved breathing exercises and visualizations to think about your vision for your student. She gave an example of a student with anxiety, getting support for that anxiety.

### Circle of Support & Ask Questions

She also talked about the importance of expanding your circle of support and who can help with specific barriers, e.g. social skills, parent support groups, different services for your student. Then she said, ask lots of questions.

- ★ She asked the group, what are some of the questions you have for care providers?
  - Various questions were shared, e.g. Are you open to learning more about my child's disability? Or what do you do if your client has a meltdown?
  - This includes asking questions of recreational activity providers, such as scouts, gymnastics, etc. Can your child bring their one-on-one aide?
- ★ Megan also shared an editable document "About Me" that describes your child for care providers, school staff, recreation providers, summer camps etc, as well as some other documents that can give providers more individualized information. For summer camp give to key people like the camp counselor, camp director, and nurse.

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8:30pm - Colleen Sasdelli, HCPS Director of Special Education, informed us that Katie York won the election for Chair, no one was elected for Co-Chair, and Danie won the secretary/treasurer position.

Minutes provided by Jeanne Erdley, Harford County SECAC Chairperson and Suzanne Oshinsky, Harford County SECAC Co-Chairperson