

Paradise Valley Unified School District

Shortened Day Guidelines

Definition

- Shortened Day Schedules may be a necessary modification to a student's school schedule in order to provide a free and appropriate public education (FAPE).

Under what circumstances is a shortened scheduled permissible?

- Shortened Day Schedules should be temporary, for specific purposes, and are never in lieu of a behavior support plan, nor should they be used in place of special education evaluations or reevaluations.

Examples of temporary, specific-purpose shortened days that most likely do not result in less than FAPE in an LRE:

- Student with a recent brain trauma, currently in recovery, needs a transitional reduced day due to cognitive fatigue associated with recovery.
- Under recommendation of a physician of a student transitioning to new seizure medications requests gradually increasing of length of day.
- Recently adopted student from another country is experiencing transition difficulties. Parents and therapist request a gradual transition to school.
- Student with school phobia, school refusal or selective mutism is in treatment. The therapeutic plan specifies a gradual transition to full day attendance with specific beginning and ending dates specified.

Examples of impermissible reasons for a shortened schedule

- If the team knows the student cannot graduate due to missing credits as a result of the implementation of a shortened day described in the IEP.
- If the team knows this IEP designation of a shortened day is in lieu of a public or non-public school placement that could potentially provide a full day learning experience to meet IEP goals and allow progress in general curriculum.
- If the team knows this "shortened day" is in lieu of an appropriately developed and implemented behavior support plan.
- Upon parent request alone. The team is obligated to offer and implement a legally compliant IEP, and thus must refuse a parent request if the team believes the shortened day does not constitute FAPE in an LRE and provide a student with an opportunity to receive educational benefit.

Alternatives to a shortened day

Creative problem solving by an LEA and IEP team may be necessary to identify solutions or service arrangements that meet the needs of students without shortening the school day as appropriate. Teams may consider a Functional Behavior Assessment, Behavioral Intervention Plan, behavior supports, non-standard accommodations, and or homebound instruction.

Who must make the decision regarding a shortened schedule?

The IEP/504 team must decide if a shortened schedule is necessary to provide FAPE. For students without an IEP/504, the administrative team, relevant staff (e.g. teacher, social worker), and parents will serve as the decision-making team.

Required Documentation

Any IEP offering a shortened day needs to carefully document that services and placement are providing FAPE for the individual student in order to be defensible. Compensatory education may be determined appropriate if shortened days are not providing FAPE per a student's IEP.

Documentation must include:

- Student's daily schedule
- Parent agreement/disagreement
- Justification for a shortened schedule
- How FAPE will be achieved
- Whether the shortened schedule will impact Least Restrictive Environment
- When shortened schedule will be reviewed to determine if it continues to be appropriate
- IEP/504 documentation

Parents provided with guidelines prior to meeting at which a shortened schedule will be discussed.

Parents should receive a copy of these guidelines prior to a meeting where a shortened schedule will be discussed. In the event that a shortened schedule is presented at a meeting prior to a parent receiving these guidelines, parents must be provided the guidelines and the decision on a shortened schedule will be delayed until another meeting.

Appeals contact

Parents who disagree with a school's decision on a shortened schedule or feel that guidelines were not followed, may appeal to the director of special education department, Linda Taylor (602-449-2150), or the director of student services, Lora Herbein (602-449-2240).

Parents may also draft a dissent, file a complaint with the Arizona Department of Education, or request a due process hearing by contacting the Special Education Dispute Resolution division at the Arizona Department of Education (602-364-2242).

Guidelines are reflective of IDEA Part B and Dear Colleague Letter 68 IDELR 76 (2016).