



## ADMINISTRATIVE RULES OF MONTANA



### 10.16.3324 EXTENDED SCHOOL YEAR SERVICES

- (1) Local educational agencies shall provide extended school year services in accordance with 34 CFR 300.106.
- (2) IEP teams shall use recoupment and regression as the criteria for determining eligibility for extended school year services. In the absence of the opportunity to collect data to determine regression, the IEP team may conclude that ESY services are necessary based on data that research has shown to predict regression and difficulty with recoupment.
- (3) Extended school year services must be provided only if a child's IEP team determines, on an individual basis, in accordance with 34 CFR 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.

**Authorizing statute(s):** 20-7-402, MCA

**Implementing statute(s):** 20-7-403, MCA

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**History:** NEW, 2007 MAR p. 678, Eff. 5/25/07, AMD, 2010 MAR p. 1076, Eff. 4/30/10.