

Summer Fun



WHAT ARE EXTENDED SCHOOL YEAR SERVICES?

ESY services are **individualized special education and/or related services** (such as speech/language therapy or occupational therapy) that are uniquely designed to provide a free appropriate public education (FAPE) to a student with disabilities (as mandated by IDEA). Need for ESY services is determined by the student's IEP team. ESY services are provided beyond the normal school year of a school district — that includes both the days of the school year and the hours of the school day. ESY services must be provided at no cost to the parents.

WHO IS ELIGIBLE TO RECEIVE ESY?

Any student who is eligible to receive special education and related services **may** be eligible for ESY. A student's need — or eligibility — for ESY is determined by his IEP team, including the parent(s). The decision is based solely on the individual needs of the student.

HOW IS ELIGIBILITY FOR ESY DETERMINED?

- **DATA, DATA, DATA!!**

Determining a student's need for ESY services must be part of the IEP process. Ideally, the IEP team should consider the need for ESY services at the initial IEP meeting for a student who is newly eligible for special education and at each IEP meeting thereafter — generally annually. This makes the consideration of ESY an integral part of any IEP meeting. However, if necessary, an IEP meeting can be called for the express purpose of considering the student's need for ESY services

FACTORS TO CONSIDER:

- The most widely used criteria for determining the need for ESY services are **regression** and **recoupment**. This involves two findings:
 - The IEP team must determine if the student is likely to lose critical skills during the time when services are not delivered — called **regression**.
 - If the likelihood of **regression** is established, then the IEP team must determine whether the time the student will require to re-learn the skills lost — called **recoupment** — is excessive, particularly when compared to the time it takes a nondisabled student to regain skills lost during a school break.

OTHER FACTORS TO CONSIDER:

- The **nature and severity of the student's disability**. While the student's type of disability alone does not determine whether or not there is a need for ESY services, the IEP team should examine whether the nature and severity of his disability are likely to significantly jeopardize his ability to benefit from the instructional program if he experiences a lapse in instructional support.
- The student's **degree of progress** toward IEP goals. How quickly is the student progressing from year to year without ESY services? Will the loss of services during the school break significantly jeopardize the student's progress toward the goals? Failure to achieve one or more IEP goals does not necessarily mean that the student is eligible for ESY services.
- The student's **emerging skills and breakthrough opportunities**. Is the student at a breakthrough point in a critical skill or skills, such as reading? Will the interruption of services and instruction significantly jeopardize the educational benefit the student is receiving from the specialized instruction or related service(s)?
- The student's **behavior(s)**. Does the student exhibit interfering behaviors — such as aggressive, violent or self-injurious behaviors – that prevent him from receiving education benefit from the instructional program during the normal school year? If so, he may need ESY services to keep the interfering behaviors from significantly jeopardizing the educational benefit he can derive from his instructional program during the next school year. Management of such behaviors should be part of the student's current IEP.
- Special circumstances or other factors**. Are there other special circumstances or factors that will significantly jeopardize the student's receipt of educational benefit during the normal school year?

WHAT NOT TO SAY IN A MEETING:

- Do you want ESY? If so, do you want center based or community based?
- Well speech/OT are not here, but we can go ahead and offer those services.
- Well, the student did not show regression, so they are not eligible.
- We ONLY offer three days a week/three hours a day....

QUESTIONS?

