

EXTENDED SCHOOL YEAR SERVICES FOR STUDENTS WITH DISABILITIES

St Johns County Schools
Exceptional Student Education
Parent Advisory
April 12, 2016

Purpose

- To assist Individual Educational Plan (IEP) teams in:
 - Understanding Extended School Year (ESY) services
 - Determining whether a student requires ESY services
 - Determining how ESY services should be provided

Extended School Year (ESY) Services

- ESY means special education and related services that: (34 CFR 300.106(b))
 1. Are provided to a child with a disability:
 - Beyond the normal school year of the local educational agency;
 - In accordance with the child's individualized education program;
 - At no cost to the parent(s) of the child; and
 2. Meet the standards established by the Florida Department of Education

Free Appropriate Public Education (FAPE)

- FAPE means special education and related services that:
(34 CFR 300.17)
 1. Are provided at public expense, under public supervision and direction and without charge;
 2. Meet the standards established by the Florida Department of Education;
 3. Include an appropriate preschool, elementary school, or secondary school in Florida; and
 4. Are provided in conformity with an individualized education program.

Extended School Year Services

- Each local educational agency shall ensure that ESY services are available as necessary to provide a free appropriate public education (34 CFR 300.106)
- ESY services shall be provided only if a child's IEP team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child, because the benefits a child with a disability gains during the regular school year will be **significantly jeopardized** if ESY services are not provided

ESY Requirements

- A local educational agency may not:
 - Limit ESY services to particular categories of disabilities;
 - Unilaterally limit the type, amount, or duration of those services; or
 - Limit the provision of ESY services to only summer

ESY is not...

- Based on disability category
- Mandated 12 month services
- A child care service
- A continuum of the total IEP provided during the regular school year
- Required to be provided all day, every day, or each day
- An automatic provision from year to year
- Summer school, compensatory services, or enrichment programs
- Required to be provided in a traditional classroom setting
- A service provided to maximize a student's potential

ESY and FAPE

- The question **is** “Does the student require ESY services in order to receive FAPE during the year, or over time?”
- The question is **not** “Does the student require ESY services in order to receive FAPE over the summer?”

Understanding the Difference Between ESY and Summer School

ESY Services

- A student with a disability receives ESY services if the IEP team finds that the student needs specific services beyond the regular 180-day school year
- ESY services are determined for each student by the IEP team and may be different than those services provided during the regular school year
- The IEP team determines initiation, duration, and frequency of ESY services

Summer School

- Students, including those with disabilities, attend if they meet the criteria established by the school district
- The focus of instruction is on helping students meet the Florida State Standards for their grade level
- The school district determines the length of summer school sessions

ESY Consideration

- Determination for ESY is made on an individual basis
- IEP team must discuss, consider, and document the need for ESY at an initial IEP meeting and at every annual IEP
- ESY services must be completed at an IEP meeting, not formulated and decided in isolation by school staff and then sent home to the parent for consent
- Time of year of the IEP may affect whether the team has enough information to make a determination regarding the need for services
- ESY decisions should be made in a timely enough manner to allow parent(s) the right to pursue due process and/or mediation as a means to resolve disputes

Factors to Consider

- Regression/recoupment
- Degree of Progress
- Emerging skills/breakthrough opportunities
- Interfering behaviors
- Nature and/or severity of the disability
- Special circumstances or other factors

Critical Life Skills

- Any skill determined by the IEP team to be critical to overall educational progress including social and behavioral skills
- Skills that students require across environments
- Independent living(self-care skills) = feeding, dressing, toileting, personal hygiene, mobility
- Communication = functional communication and social interaction
- Academic = reading, writing, math
- Behavior = aggression, self-injury, severe impulsivity

Discussion Questions for IEP Teams to Consider?

- Does the student demonstrate a severe disability in one or more areas?
- Does the student experience significant regression, more pronounced than that of nondisabled peers, in social or adaptive behaviors or learned skills over regularly scheduled school breaks?

Discussion Questions for IEP Teams to Consider?

- Is a significant amount of time and effort, beyond that required by nondisabled peers, needed to assist the student in regaining previously learned behaviors and skills?

Discussion Questions for IEP Teams to Consider?

- Is the student failing to achieve instructional goals and benchmarks or short-term objectives on the IEP due to the interruption of instruction between school years?

Discussion Questions for IEP Teams to Consider?

- If there is no documented history of regression/recoupment problems from prior breaks in instruction, does predictive data, based on the opinion of professionals, indicate that a serious potential for regression exists?

Discussion Questions for IEP Teams to Consider?

- Is the student at a critical stage in development where the window of opportunity will be lost if the student does not receive ESY services?
- Does the targeted skill represent a barrier to continuous progress or self-sufficiency?

Discussion Questions for IEP Teams to Consider?

- Would the benefits derived from extended educational services outweigh the positive benefits of a summer break?
- Have other options that would meet the needs of the student been considered and determined to be of less benefit than ESY services?

Discussion Questions for IEP Teams to Consider?

- Is continuous or year-round treatment an integral part of the methodology deemed necessary for the student?
- Are there unusual circumstances that create a need for ESY services?

Discussion Questions for IEP Teams to Consider?

- Without ESY services in the identified critical life skills, will the student be unable to receive some reasonable level of benefit from his/her educational services during the school year?

ESY:

Data Driven Decision-Making

- The IEP team must use DATA as a basis for documentation of the student's need for ESY services
- Staff should review the data and have a summary prepared prior to the IEP meeting

ESY:

Data Driven Decision-Making

- Do the data indicate the likelihood that significant **regression** will occur in critical life skills and that those skills cannot be recouped within a reasonable amount of time without ESY services?

ESY:

Data Driven Decision-Making

- Do the data indicate that the student is at a **crucial stage** in the development of a critical life skill, and a lapse in services would substantially jeopardize the student's chances of learning that skill?

ESY:

Data Driven Decision-Making

- Is the **nature or severity** of the student's disability such that the student would be unlikely to benefit from his or her education without the provision of ESY services?
 - This may include **emerging skills** as well as **critical points of instruction** on existing skills.

ESY:

Data Driven Decision-Making

- Are there extenuating circumstances pertinent to the student's current situation that indicate the likelihood that FAPE would not be provided without ESY services?

ESY:

Data Driven Decision-Making

- **Data** collected over the course of the school year, including before and after scheduled breaks in instruction, should be used to frame the determination of need.
- The determination of need for ESY services is ultimately an IEP team decision, based on the unique and individual needs of the student.

Data Used to Support ESY Decisions

- Observation data from teachers, therapists, parents, and others having direct contact
- Data from before and after breaks (long weekends, vacations, past summer breaks)
- Standardized or criterion-referenced assessments
- Curriculum-based assessment
- Pre-/post-test data
- Historical data
- Review of current and previous IEP goals
- Progress notes and report cards
- Work samples
- Behavior logs
- Parent interviews
- Attendance records

Extended School Year Services

Plan Initiation Date: 8/18/2014

Plan Duration Date: 8/14/2015

Note: If other initiation date and duration date is desired; please edit.

The following questions are intended to assist the team in making a decision regarding the necessity for ESY Services:

1. Do the data indicate that significant regression is likely to occur in critical life skills related to any of the following areas, and that these skills cannot be recouped within a reasonable amount of time without ESY services?
 - a. academics, or, for pre-K students, developmentally appropriate pre-academic skills
 - b. communication
 - c. independent functioning and self-sufficiency
 - d. social/emotional development or behavior
2. Do the data indicate the likelihood that the student is at a crucial stage in the development of a critical life skill, and that a lapse in services would substantially jeopardize the student's chances of learning that skill?
3. Is the nature or severity of the student's disability such that the student would be unlikely to benefit from his or her education without the provision of ESY services?
4. Are there extenuating circumstances pertinent to the student's current situation that indicate the likelihood that FAPE would not be provided without ESY services? Examples include:
 - a. a student who has recently obtained paid employment and requires the services of a job coach
 - b. a student who requires ESY services to prevent movement to a more restrictive setting
 - c. a student whose frequent health-related absences have significantly impeded progress on goals

Check this box if you have completed and uploaded the [Extended School Year Services: Determination of Need for Students with Disabilities](#) worksheet which is intended to assist IEP teams in making decisions regarding the necessity for ESY services.

If you did not complete and upload the worksheet, summarize the data reviewed during ESY consideration:

**EXTENDED SCHOOL YEAR SERVICES:
DETERMINATION OF NEED
FOR STUDENTS WITH DISABILITIES**

Student: _____ **IEP Meeting Date:** / /

Extended school year (ESY) services are required if the IEP or individualized family support plan (IFSP) team has reason to believe that the provision of a free appropriate public education (FAPE) for an individual student would be jeopardized without such services. The following questions are intended to assist IEP and IFSP teams in making decisions regarding the necessity for ESY services. Parents, teachers, and other professionals are all valuable sources of information. For each question, provide the rationale for determining YES/NO for each area (N/A if the student has no goals in this area). If "YES" is indicated for one or more questions, ESY services may be needed.

Appropriate data to be reviewed includes, but is not limited to, the following:

- | | |
|---|---|
| <ul style="list-style-type: none">• Pattern of regression after past breaks in service• Pre-/post-tests• before/after breaks• Progress on annual goals• Point sheets• Report cards• Teacher-made checklists | <ul style="list-style-type: none">• Work samples• Therapy logs• Parent Input• Probes/running records• Frequency charts• Referrals/discipline file• Other documentation related to extenuating circumstances |
|---|---|

1. Do the data indicate the likelihood that significant regression will occur in critical life skills related to academics, or, for pre-K students, developmentally appropriate preacademic skills, and that those skills cannot be recouped within a reasonable amount of time without ESY services?

Yes No

Supporting Data Reviewed:

Rationale:

2. Do the data indicate the likelihood that significant regression will occur in critical life skills related to communication, and that those skills cannot be recouped within a reasonable amount of time without ESY services?

Yes No

Supporting Data Reviewed:

Rationale:

3. Do the data indicate the likelihood that significant regression will occur in critical life skills related to independent functioning and self-sufficiency, and that those skills cannot be recouped within a reasonable amount of time without ESY services?

Yes No

Supporting Data Reviewed:

Rationale:

4. Do the data indicate the likelihood that significant regression will occur in critical life skills related to social/emotional development or behavior, and that those skills cannot be recouped within a reasonable amount of time without ESY services?

Yes No

Supporting Data Reviewed:

Rationale:

5. Do the data indicate the likelihood that the student is at a crucial stage in the development of a critical life skill, and that a lapse in services would substantially jeopardize the student's chances of learning that skill? This may include emerging skills as well as critical points of instruction on existing skills.

Yes No

Supporting Data Reviewed:

Rationale:

6. Is the nature or severity of the student's disability such that the student would be unlikely to benefit from his or her education without the provision of ESY services? The nature of the disability may include the student's rate of progress.

Yes No

Supporting Data Reviewed:

Rationale:

7. Are there extenuating circumstances pertinent to the student's current situation that indicate the likelihood that FAPE would not be provided without ESY services? Examples of students who may require ESY services under this criterion include, but are not limited to, the following:

- a student who has recently obtained paid employment and requires the services of a job coach in order to be successful
- a student who requires ESY services in order to remain in his or her existing LRE and prevent movement to a more restrictive setting
- a student whose frequent health-related absences have significantly impeded progress on goals related to critical life skills

Yes No

Supporting Data Reviewed:

Rationale:

Making the ESY Determination Based on FAPE

- Based on the IEP as a whole, choose goals to be targeted during ESY to ensure FAPE
- ESY services may or may not look like the traditional school year – type, frequency, amount, and/or location may differ
- ESY services may include related services only, if appropriate

Least Restrictive Environment

- The LRE requirement applies during ESY
- The LRE for the duration of ESY services may differ from the LRE for the duration of the IEP in effect for the school year
- The LRE for the duration of ESY services is based on the specific goals targeted for that period

Least Restrictive Environment (continued)

- A district is not required to create a program solely to provide LRE; however, it may be necessary to provide services in alternative settings if the most appropriate setting determined by the IEP team is not available within the existing program offerings.

Service Delivery

- What might ESY look like?
 - School-based programs
 - “Take home” instructional materials, with consultation or periodic student/teacher contact
 - Behavioral or other training for parents or staff
 - On-the-job support
 - Services contracted through community or other agencies

Parental Consent

- The IEP team shall consider all factors identified under a FAPE and work toward consensus
- If the IEP team cannot reach consensus, the local educational agency (LEA) shall provide the parent(s) with prior written notice of the LEA's proposals or refusals, or both, regarding the child's educational placement or provision of a FAPE

Additional FDOE Resources

- *Determining an Individual Student's Need for Extended School Year Services* (Technical Assistance Paper)
- *Extended School Year Services: A Guide for IEP and FSP Teams* (Teacher Brochure)
- *Extended School Year Services: Determination of Need for Students with Disabilities* (Planning Worksheet)
- *ESY: What's the IDEA Behind Extended School Year Services for Students with Disabilities?* (Parent Brochure)