



Extended School Year Services for Students With Disabilities

A Training Module for IEP Teams

*Florida Department of Education
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Purpose

To assist Individual Educational Plan (IEP) and Family Support Plan (FSP) teams in

- *understanding Extended School Year (ESY) services*
- *determining whether a student requires ESY services*
- *determining how ESY services should be provided*

Definition of ESY

- *Federal regulations at 34 CFR 300.309(b)*
“...special education and related services that (1) are provided to a child with a disability (i) beyond the normal school year of the public agency; (ii) in accordance with the child's IEP; and (iii) at no cost to the parents of the child; and (2) meets the standards of the SEA.”

Definition of ESY (continued)

- *Each public agency shall ensure that ESY services are available as necessary to provide a free appropriate public education (FAPE).*
- *ESY services must be provided only if a child's individual educational plan (IEP) or family support plan (FSP) team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child.*

Definition of ESY *(continued)*

- *In implementing the requirements of this section, a public agency may not*
 - *limit ESY services to particular categories of disabilities*
 - *unilaterally limit the type, amount, or duration of those services*

Definition of FAPE

- *Federal regulations at 34 CFR 300.13*
“...special education and related services that (a) are provided at public expense, under public supervision and direction and without charge; (b) meet the standards of the SEA, including the requirements of this part; (c) include preschool, elementary school, or secondary school education in the state; and (d) are provided in conformity with an ... IEP...”



ESY is not...

- *child care*
- *respite*
- *intended to maximize educational opportunity or potential growth*
- *“one size fits all”*
- *based on specific area of disability, level of service, or type of placement*
- *a longer school day*

ESY and FAPE

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

Understanding the Difference Between ESY and Summer School

<i>Summer School</i>	<i>ESY Services</i>
<i>Students, including those with disabilities, attend if they meet the criteria established by the school district.</i>	<i>A student with a disability receives ESY services if the IEP or FSP team finds that the student needs specific services beyond the regular 180-day school year.</i>
<i>The focus of instruction is on helping students meet the Sunshine State Standards for their grade level.</i>	<i>ESY services are determined for each student by the IEP or FSP team and may be different than those services provided during the regular school year.</i>
<i>The school district determines the length of summer school sessions.</i>	<i>The IEP or FSP team determines initiation, duration, and frequency of ESY services.</i>

Making the ESY Determination

- *For whom?*
 - *Must be **considered** for ALL students with disabilities*
 - *May not be limited by disability category or severity*
 - *May not be based on administrative convenience*

***Making the ESY Determination** (continued)*

- *When?*
 - *The need for ESY must be considered every year.*
 - *Families and districts need time to plan, so the determination must be made in a timely manner (generally by early- to mid-spring).*
 - *The decision should be made early enough for a family to exercise due process should they disagree with the team's decision.*

***Making the ESY Determination** (continued)*

What kinds of questions can IEP teams ask?

- *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?*

Making the ESY Determination (continued)

- *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?*

***Making the ESY Determination** (continued)*

- *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?*

***Making the ESY Determination** (continued)*

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

Making the ESY Determination (continued)

- *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?*

***Making the ESY Determination** (continued)*

- *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?*

Making the ESY Determination (continued)

- *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?*

***Making the ESY Determination** (continued)*

- *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?*

***Making the ESY Determination** (continued)*

- *Based on what? **The IEP or FSP!***
 - *Clear Present Level of Educational Performance statement*
 - *Data: direct, on-going assessment of IEP or FSP goals, including benchmarks and short-term objectives*
 - *Specially designed instruction and related services provided for the provision of FAPE*

***Making the ESY Determination** (continued)*

- *Based on what? **The Present Level Statement!***
 - *Component 1: Sources of Information*
 - *includes current data from teachers, parents, therapists, formal and/or informal assessments...*
 - *Component 2: Effects of the Disability*
 - *a statement of what the student can and cannot do in a specific area*
 - *provides the basis for determining annual goals and accommodations*

***Making the ESY Determination** (continued)*

- *Based on what? **The Present Level Statement!***
Component 2: Effects of the Disability
 - *how the disability affects involvement or progress in the general curriculum (or, for pre-K students, appropriate activities)*
 - *addresses the “unique needs” of the student, identifying why the student needs special education and related services*

***Making the ESY Determination** (continued)*

- *Based on what? **The Present Level Statement!***
Component 3: Priority Educational Need(s)
 - *Based on the “Effect of the Disability”*
 - *Direct link to the annual goal(s)*

***Making the ESY Determination** (continued)*

- *Based on what? **The Present Level Statement!***
 - ☹️ *Jessica needs help to feed herself. Her priority educational need is to learn to feed herself.*
 - 😊 *Based on teacher observation and parent reports, Jessica requires physical prompts and verbal reminders to use adapted utensils for eating. She has difficulty controlling them, and has accurate aim approximately 50% of the time. She is beginning to use a spoon, but is unable to spear or lift food with a fork.*

***Making the ESY Determination** (continued)*

- *Based on what? **Data!***
 - *Observable, measurable annual goals, including benchmarks and short-term objectives, are the key to collecting useful data.*
 - ☹ *Jessica will increase independent functioning skills to feed herself, with 80% accuracy.*
 - ☺ *During snacks and meals at school, Jessica will correctly use an adapted spoon to feed herself, with assistance, during all meals for three consecutive days.*

***Making the ESY Determination** (continued)*

- *Based on what? **Data!***
 - *Critical life skill areas to consider:*
 - *Academics (or, for pre-K, developmentally appropriate pre-academic skills)*
 - *Communication*
 - *Independent Functioning and Self-Sufficiency*
 - *Social/Emotional Development or Behavior*

***Making the ESY Determination** (continued)*

- *Based on what? **Data!***
 - *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?*

***Making the ESY Determination** (continued)*

- *Based on what? **Data!***
 - *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?*

Making the ESY Determination *(continued)*

- **Based on what? *Data!***
 - *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.*

***Making the ESY Determination** (continued)*

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

***Making the ESY Determination** (continued)*

- *Based on what? **Data!***
 - ***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 or FSP team decision, based on the unique and individual needs of the student.*

***Making the ESY Determination** (continued)*

- *Based on what? **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 or FSP 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 or FSP 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*



Summary

- *There is no magic formula!*
 - *Will the provision of FAPE be jeopardized for the student if ESY services are not provided?*
 - *ESY cannot be pre-determined based on disability, type of placement, or administrative convenience.*
 - *The need for ESY services is an IEP or FSP team decision based on the unique needs of the individual.*

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)

Contact the Clearinghouse Information Center: 850-245-0475

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