

## Extended School Year (ESY) Services

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### 1. When is Extended School Year Service Needed?

Schools are required to provide extended school year (ESY) services to a pupil if the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education. **Minnesota Rule 3525.0755**

As part of the development and content of an annual IEP, the team must discuss ESY needs at each annual IEP and/or periodic review. An Extended School Year (ESY) is not the same as summer school. ESY is a mandatory extension of special education services to learners with a disability over the summer months to retain skills and thus allow for benefit from a "free appropriate public education".

Although the specific reason for providing ESY vary from learner to learner, the need arises when the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education (FAPE). The district may not limit extended school year services to particular category of disability or unilaterally limit the type, amount, or duration of those services.

If the team determines that ESY is appropriate based on the above criteria, then the team needs to determine the amount and type of service for summer that is appropriate to maintain performance on current IEP goals. It is the responsibility of the special education service provider to document student progress on IEP goals on a regular basis throughout the IEP year. The IEP team will determine the specific IEP goals where skill regression/ recoupment or self-sufficiency criteria have been documented or is predicted.

Present Levels of Academic Achievement and Functional Performance (PLAAFP) at the end of the school year should be preserved and used as a baseline for those students who may be considered for ESY.

### Definitions

Level of Performance= Means a pupil's progress toward annual IEP goals immediately prior to a break in instruction as seen in progress measurements.

Regression= Means a significant decline in the performance of a skill or acquired knowledge, specified in the annual goals as stated in the pupil's IEP, that occurs during a break in instruction.



Recoupment= Means a pupil's ability to regain the performance of a skill or acquired knowledge to approximately the same level of performance just prior to the break in instruction.

Self-Sufficiency= Means the *functional skills* necessary for a pupil to achieve a reasonable degree of personal independence as typically identified in the annual IEP goals for a pupil requiring a *functional/adaptive curriculum*. To attain self-sufficiency, a pupil must maintain skills consistent with the pupil's IEP goals in any of these skill areas:

- \_\_\_\_\_ Basic self-help, including toileting, eating, feeding, and dressing
- \_\_\_\_\_ Muscular control
- \_\_\_\_\_ Physical mobility
- \_\_\_\_\_ Impulse control
- \_\_\_\_\_ Personal hygiene
- \_\_\_\_\_ Development of stable relationships with peers and adults
- \_\_\_\_\_ Basic communication
- \_\_\_\_\_ Functional academic competency, including basic reading and writing skills, concepts of time and money, numerical or temporal relationships.

## 2. What Extended School Year (ESY) Service Is Not:

ESY is not - An individual decision. Parents or staff alone cannot determine the need for extended year service. The IEP team needs to agree on this issue as on other programming and service issues.

ESY is not - Respite or day care for families who need or would like those services.

ESY is not - A continuation of the entire special education services or program as written in the IEP.

ESY is not - Summer school.

ESY is not - For only the severely handicapped. Although it is most likely that students with more severe handicaps experience problems with regression, recoupment, or self-sufficiency, other students with handicaps could experience significant programs in these areas also.

ESY is not - To make up credits for failed classes or to be considered for content area classes that are over after the year or semester. For example, students may lose skills learned in a science or health class, but these are not skills that are *indicators of basic self-sufficiency*.



### 3. Extended School Year (ESY) Criteria

At least annually, the IEP team must determine a pupil is in need of Extended School Year (ESY) services if the pupil meets the conditions of item A, B or C

\_\_\_\_\_ A. There will be significant regression of a skill or acquired knowledge from the pupil's level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate;

\_\_\_\_\_ B. Services are necessary for the pupil to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the pupil's age and level of development, and the timeliness for teaching the skill; or

\_\_\_\_\_ C. The IEP team otherwise determines, given the pupil's unique needs, that ESY services are necessary to ensure that pupil receives a free appropriate public education (FAPE).

#### Sources of Information for IEP Team Determination

The IEP team must decide the basis for determining whether a pupil is eligible for ESY services using information including:

- A. Prior observation of the pupil's regression and recoupment over the summer;
- B. Observation of the pupil's tendency to regress over extended breaks in instruction during the school year; and
- C. Experience with other pupils with similar instructional needs.

#### Other Factors to be Considered:

In making its determination of Extended School Year (ESY) needs the IEP team must consider the following factors, where relevant:

- A. The pupil's progress and maintenance of skills *during* the school year.
- B. The pupil's *degree of impairment*;
- C. The pupil's *rate of progress*
- D. The pupil's *behavioral or physical* problems;
- E. The *availability of alternative resources*
- F. The pupil's *ability and need to interact with nondisabled peers*
- G. The *areas of the pupil's curriculum which need continuous attention* or
- H. The pupil's vocational need

## Delivery Options for Extended School Year (ESY) Services

The ESY services delivered are to be designed to meet the individual student's needs in maintaining critical goals. As such, individual students may require ESY services delivered using a variety of different methods. The IEP team will choose the appropriate delivery model. Examples of ESY delivery models are described below.

1. Skill Maintenance Activities: These are written descriptions of activities for parents or other caregivers to provide for the student on a regular basis over the summer break. Activities will be written by the student's current school year service providers. Examples might include: parent directed activities to involve the student in when grocery shopping, guidelines for parents to follow when reading to the student, suggestions of community activities and other guidelines for parents to assure necessary skill practice.
2. Skill Maintenance Packets/Kits: These are school materials prepared and organized for the parent or caregiver to use on a regular basis over the summer break. The materials will be prepared and directions written by the student's current school year service providers. Examples might include: worksheets, flashcards, books, computer software, writing assignments, reading assignments, fine motor activities, and/or social skill activities.
3. Licensed Staff Telephone Consultation: This service would typically be in addition to use of skill maintenance activities and/or packets. A licensed special education provider would be available for phone consult regarding use of the activities or packets at specifically scheduled intervals throughout the summer break. Licensed staff telephone consultation could be available to the parent, caregiver, or to some community agency or facility working with that student.
4. Licensed Staff In-Person Consultation: This service would involve planned and pre-scheduled consultation sessions provided to parents, caregivers, or a community facility or agency. The licensed special education provider would schedule consultation sessions throughout the summer to assist parents and caregivers in providing skill practice opportunities to the student. Examples might include: arrangements for summer rec staff to schedule consultation with a D/APE teacher when new activities are planned.
5. School Cluster Site: This service primarily focuses on the essential skills of self-sufficiency. The IEP team can determine that ESY services need to be delivered directly to students in designated schools. The ESY student is transported to the designated school by the school district. The student will attend the school for a specified number of hours each week and be instructed in those goal areas designated by the IEP team. School based services could be required when consultation, work packets and regular practice of skills will not be sufficient to allow the students to receive an appropriate education. Students will work on goals and objectives in those skill areas that are essential functions of daily life.

Unique Learning Systems curriculum is utilized at these sites and provides standards based instruction to students in essential academics, adaptive skills, and communication.

6. Pull out/Push in ESY services: This type of integrated programming is an option for students who also qualify for the ALC summer school requirements, and are within 1-2 years of academic skill performance in their grade level expectations. This service will be provided by a special education teacher with support in a general classroom environment at specifically designated ALC school sites.