

Extended School Year (ESY) Consideration

March 2021

ESY services refer to special education and/or related services provided beyond the normal school year or school day for the purpose of providing a FAPE to a student with a disability. Some students with disabilities may not receive a FAPE unless they participate in programs and/or related services during time periods when other students, whether they have a disability or not, normally would not be served. Some students may suffer losses of social, behavioral, communication, academic, self-sufficiency, or other skills during periods of interruption of services that are so significant that they can jeopardize progress made during the normal school year.

The need for ESY services must be determined individually and cannot be provided or denied based upon category of disability or program assignment. ESY services are provided in accordance with the student's IEP at no cost to the parents or child and meet the Michigan standards for ESY services.

Although there is no timeline for the IEP team's consideration of ESY services, the IDEA regulations specify that "public agencies are expected to ensure that these determinations are made in a timely manner so that students with disabilities who require ESY services in order to receive a FAPE can receive those necessary services." The time to think about documenting the need for ESY services is at the start of the school year rather than at the end. Procedures for measuring progress should be sensitive enough to determine the effects of breaks in instruction that occur during the school year. At a minimum, the IEP team should collect progress monitoring data about the student's performance at baseline, intermediate, and endpoint intervals of the IEP. Consider gathering progress monitoring data about the student's performance after long weekends, winter, and spring breaks.

Other factors that must be considered:

- The determination of the need for ESY must be based on data. Data sources may include (but are not limited to):
 - a) Progress monitoring data on IEP goals and objectives.
 - b) Data recorded and provided by parents.
 - c) Reports from outside agencies and professionals.
 - d) Interviews with present and past teachers or service providers, the parents, and the student.
 - e) Medical records
 - f) Developmental standards within the goal area(s) of concern that indicate the student is at a critical stage of learning.
- The determination of the need for ESY services cannot be based on a formula.
- ESY services may be provided in a variety of ways.
- Least Restrictive Environment (LRE) requirements for ESY services are not identical to LRE requirements for the normal school year.
- ESY services are only provided for those annual goals identified as an area of concern and which are determined to require ESY services.
- New annual goals are not developed for ESY services.
- Consideration of ESY services needs to be made in a timely manner. Recommended at least 30 school days before the provision of ESY services.

Consideration of the need for Extended School Year (ESY) Services

Student name: _____ IEP Date: _____ Case Manager: _____

Is there one or more annual goal(s) where significant concerns exist regarding skill maintenance during a break in services? yes or no

- ❖ If no, ESY is not needed for a FAPE. Mark appropriate box on IEP.
- ❖ If yes, for *each* goal area of concern, complete the chart:

Annual Goal Area: _____

	yes or no	Supporting data:
1) Is there information that indicates to the IEP team that in this goal area there is a serious potential for regression of skills beyond a reasonable period of recoupment?		
2) Is there information regarding the nature and/or severity of disability of the student that indicates to the IEP team that there is a need to provide services in the identified goal area of concern during breaks in the school year?		
3) Is there information that indicates to the IEP team that in the identified goal area of concern the student is at a critical stage of learning and/or in a critical area of learning where failure to provide a service beyond the normal school year will severely limit the student's capacity to acquire essential skills? (see below for guided questions)		
Answer the following to help answer #3	-	----
3a) Is there a skill that needs to be mastered immediately?		

3b) If the student does not master the skill immediately, is the degree of mastery likely to be permanently reduced?		
3c) Is the student at a critical stage of development where there is a window of opportunity that will be lost if services are not provided?		
3d) Are there changes in the student's medical, physical, or sensory status that makes it possible to predict an accelerated rate of learning during the ESY period (critical stage)?		
3e) Is the skill in a critical area of learning and will a break in services result in the loss of a window of opportunity for mastering the skill?		
<ul style="list-style-type: none"> ❖ If the answer to all of these questions is no, ESY services are not needed for a FAPE. Indicate on the IEP. ❖ If the answer to one or more of these questions is yes, the IEP team needs to develop a plan for ESY services. Check the box on IEP and include the plan/services to be provided. 		ESY services/plan:

★ For ISD Early Childhood staff: please provide a copy of this form to the Special Ed Director (Kristina Penfold).

Ways ESY services can be provided include (but are not limited to):

- A traditional classroom setting.
- School-based programs that vary in length of schedule.
- Daily instruction in specific IEP goal areas.
- Small group instruction.
- One or more related service(s) at a community recreation program.
- Cooperative programs with other agencies.
- Intra-school cooperative programs.
- Consultation with a job coach
- Intensive short-term instruction at various points in the summer months to prevent regression.
- A week of intensive review just prior to the beginning of the school year.
- Home-based programs that include parent training.

Related services (including therapy services and transportation) and supplemental aids and services must be considered, as well as instructional programming, when developing a plan for ESY services. IEP teams are encouraged to be creative in providing ESY services.

During ESY Service:

- Assess student progress pre- and post-ESY services
- Provide services consistent with current IEP goals identified for ESY services
- Communicate with parents during ESY service
- Provide data/documentation of outcomes of ESY services to special education administrators and parents at the conclusion of ESY services.

Resources:

MDE Guidance: http://169.62.82.226/documents/mde/GuidanceDocforESY_245915_7.pdf

Definitions of terminology:

Critical area of learning: An area of instruction that is essential to the student's development in becoming self-sufficient and independent. This includes skills that are essential for the promotion and maintenance of the student's self-sufficiency. Skills such as toileting and eating are essential for minimal independence; stable relationships, impulse control, and appropriate peer interactions are necessary for community living.

Critical stage in learning: This learning must occur without delay and learning the skill(s) in the identified goal area(s) of concern will enhance the student's ability to function independently. For example, very young students with significant disabilities may require ESY services to prevent loss of critical language, behavior, or self-help skills they learned during the school year.

Nature or severity of disability: In the context of ESY, the IEP Team must consider whether the nature or severity of the student's disability requires highly structured or consistent programming without substantial breaks in service in order to make progress in the identified goal area(s) of concern. If a student requires more consistent and highly-structured programming techniques due to the severity of the disability, the student may be more vulnerable to the loss of essential skills when the school program is interrupted. A student with severe disabilities may revert to lower-functioning levels or exhibit more behaviors which interfere with learning after a long break in programming. A student's mental, emotional, or physical health, or the chronic nature of his or her disability, may also indicate the need for ESY services in order to maintain skills that otherwise would be lost and not recovered in a reasonable amount of time.

Regression: The inability of a student to maintain an acquired skill in an identified goal area(s) of concern when special education instruction or related services in an IEP goal area are interrupted and require an unreasonable amount of time for recoupment.

Recoupment: The student's capacity to recover those regressed skills to a level demonstrated prior to the break in instruction.