



# Extended School Year

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## When is Extended School Year Service Needed?

Schools are required to provide Extended School Year (ESY) service to a student if the Individual Education Program (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” (FAPE).

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 FAPE.

If the team determines that ESY is appropriate, then the team needs to provide services over the summer to maintain performance on current IEP goals. It is the responsibility of the special education service provider to document the student progress on IEP goals on a regular basis throughout the IEP year. The IEP team will determine if a student demonstrates skill regression/recoupment or self-sufficiency criteria. If this criteria is met, the IEP team will propose the student receive ESY services.

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

### Definitions

Level of Performance = A student’s progress toward annual IEP goals immediately before a break in instruction.

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

Recoupment= A student’s ability to regain the performance of a skill or acquired knowledge to approximately the same level of performance just before the break in instruction.

Self-Sufficiency= The functional skills necessary for a student to achieve a reasonable degree of personal independence as identified in the annual IEP goals for a student requiring a functional/adaptive curriculum.

### Skills include:

- 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.

### **What Extended School Year (ESY) is not:**

- ESY is not - An individual decision. The IEP team needs to agree on ESY programming, as on other programming and service issues.
- ESY is not - Respite or day car 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 disabled. Although it is most likely that students with more severe handicaps experience problems with regression, recoupment, or self-sufficiency, other students with disabilities could experience significant problems 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.

### **Extended School Year (ESY) Criteria**

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

- A. There will be significant regression of a skill or acquired knowledge from the student'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 student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student's age and level of development, and the timeliness for teaching the skill; or
- C. The IEP team otherwise determines, given the student's unique needs, that ESY services are necessary to ensure that student receives a free public education (FAPE).

### **Sources of Information for IEP Team Determination**

The IEP team must decide the basis for determining whether a student is eligible for ESY services using information including; but not limited to:

- Observation of the student's regression and recoupment over the summer;

- Observation of the student's tendency to regress over extended breaks in instruction during the school year; and
- Experience with other student's 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:

- The student's progress and maintenance of skills during the school year.
- The student's degree of impairment;
- The student's rate of progress;
- The student's behavioral or physical problems;
- The availability of alternative resources;
- The student's ability and need to interact with non disabled peers;
- The areas of the student's curriculum which need continuous attention;
- The student's vocational needs.