



## San Joaquin County SELPA Extended School Year Programming

### GUIDELINES

**Pursuant to Section 300.309 of Title 34 of the Code of Federal Regulations, extended school year services (ESY) shall be included in the IEP and provided to the pupil if the IEP team determines, on an individual basis, the services are necessary for the provision of a free appropriate public education (FAPE).**

The need for Extended School Year (“ESY”) programming must be considered and documented annually on the IEP for every student receiving special education services. The need for ESY programming may be addressed at any IEP meeting. The IEP meeting addressing ESY should take place a reasonable time prior to the commencement of the extended break.

### Determination of ESY Eligibility and Programming

ESY programming must be provided to eligible students at no additional cost to parents. The IEP team shall determine the need for ESY eligibility and programming considering the following factors:

**Nature and severity of the disability.** The more severe the disability, the higher the probability that the student will need ESY services.

**Current IEP goals and objectives.** If progress on meeting these goals has been very slow, the student may need ESY services to continue to make progress in support of FAPE

**Emerging skills and breakthrough opportunities.** If a student is just beginning to communicate or accomplish self-care skills a temporary break may cause a setback.

**Interfering behaviors.** Behavior may have an impact of student’s ability to make educational progress

**To prevent serious regression during an extended break.** The Worksheet for Determining Extended School Year Programming may be used along with the regression/recoupment data collection sheet. If the student has continued to progress educationally from year to year despite the lack of ESY programming, ESY may not be necessary to ensure FAPE. Additionally however, there does not need to be a pattern of regression previously but team needs to consider whether there is a likelihood of regression based on knowledge of student.(see attachment A & B)

**Rare and unusual circumstances.** ESY services are more likely to be necessary for students who have been absent for extended periods of time or for students moving from restrictive placements to inclusive programs

If ESY programming is recommended, then the IEP team shall a) identify the specific goals that are to be addressed, and b) include the specific nature of the program and services on the IEP, including the, frequency, duration and location.

### Definition: Regression/Recoupment

All students experience some regression and loss over an extended break. In most instances these skills are re-mastered (recouped) within a reasonably short period of time. However, some special needs students have disabilities which are likely to continue indefinitely or for a prolonged period, and interruption of the student’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition. However, the lack of clear evidence of such factors may not be used to deny a student an ESY program if the team determines the need for ESY programming. Thus, when a student experiences

more than minimal regression and he/she is not able to recoup skills within a short period of time the provision of a free appropriate public education means that instruction and/or related services must also be provided during an extended break.

**Definition: Extended Break**

Extended break means a period of time when school is not in session such as summer break, school holidays and when school is off-track or on intersession.

**Definition: Extended School Year Programming**

ESY services are special education and related services that are tailored to each student to help him or her meet specific goals in his/her IEP to support the delivery of FAPE for the individual student as appropriate.

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