



Newton Public Schools
100 Walnut Street
Newton, MA
02465

To: NPS Special Education Teachers
From: Michael Thurm, Pre-K
Maura Tynes, Elementary
Abby Hanscom, Secondary
Re: Eligibility for Extended School Year Services (ESY)
Date: February 3, 2011

The provisions of IDEA require schools to provide ESY services for those children with disabilities who require such services to ensure an appropriate educational program. All children with disabilities who have an Individualized Education Program (IEP) must be considered for ESY, but only those who will be severely impacted by an extended break in instruction should be enrolled.

All children "regress" – lose progress, forget, and revert to previous behavior – to some extent between school years and during school breaks. When an IEP team considers a student with a disability eligible for summer services, they must first determine whether a child's regression would likely be substantial, and whether the child would require greater than usual time to "recoup" –to get back to the level the child had achieved before a break in service. In nearly all cases, projections of summer regression-recoupment are to be made based upon data gathered during winter break and spring break.

Failing to master IEP goals does not automatically make the student eligible for ESY. Federal guidance from OSEP states: "Whether a student with a disability requires ESY is a decision for that Student's IEP team. Nothing in federal law or the corresponding regulations requires students with disabilities who do or do not meet their IEP goals to participate in ESY."

Extended School Year programs may not be limited to children with special needs in certain program types (e.g., substantially separate settings) or to children with certain types of special needs. Decisions about ESY programs must be made on an individual basis, taking into consideration the unique needs of the child. There are situations where the nature of the student's disability, the provision of FAPE during the school year, and other factors would be considered in the ESY eligibility process.

Extended School Year services are available only to students with disabilities who meet the eligibility criteria for ESY. It is not a "one size fits all" program. ESY is individually designed by the IEP team to prevent substantial regression in those critical skill areas that are likely to be impacted by an extended summer recess. Critical life skills may include but are not limited to: self-help, social skills, emotional support, physical mobility, communication, assistive technology, academics and vocational skills.

The attached form is to be completed for each student that is being considered for ESY services. The intention of the form is to facilitate a thoughtful process that includes input from all IEP team members, including parents. The district's use of this form is in no way intended to take decision-making responsibilities away from the IEP team.

EXTENDED SCHOOL YEAR SERVICES (ESY) ARE:

- to maintain learned skills, not develop new skills
- to target goals and objectives derived from the current IEP
- determined on an individualized, case by case basis
- provided at no cost to families, and with no budgetary constraints as a factor

- based on the needs of the individual child, and thus there is no specific amount of time required (typically not the same as what the child may receive during the school year)
- developed through creative use of educational and other personnel
- provided in a variety of environments, including the home setting
- available to any student who is eligible-for them
- evaluated annually and based on data collected during the current year to determine eligibility
- discussed at the IEP meeting by the IEP team

EXTENDED SCHOOL YEAR SERVICES (ESY) ARE NOT:

- to develop new skills
- a traditional summer school program
- to meet newly developed goals and objectives
- to make up for absences incurred during vacation, suspension or expulsion
- provided for the convenience of families, e.g. to substitute for childcare or to maintain the families' job security
- to replace or duplicate alternative community resources

Extended School Year Eligibility Consideration Form

Student Name: _____ Grade: _____

School: _____ Primary Disability: _____

Previously received ESY services: Yes No

1. Regression/Recoupment (Following data collection and analysis):

Regression (Is the student likely to lose critical skills due to a 12 week summer break?):

Note: "All children 'regress' --lose progress, forget, revert to previous behavior--to some extent between school years. It must be determined whether a child's regression would likely be substantial, and whether the child would require a greater than usual time to "recoup --to get back to the level the child had achieved before a break in service."

(Question and Answer Guide on Special Education Extended School Year Programs, Massachusetts Department of Elementary and Secondary Education, 12/5/2002)

- Based on data collected during a school vacation, was there a significant regression due to the break in instruction? And, can you identify the specific skill, knowledge? And can you tie the regression to a critical IEP goal? Yes No
- Summarize the pre/post data comparison and attach a completed ESY Data Summary Report.

Recoupment (Is the student likely to fail to recover these skills in a reasonable time?):

- Did this student experience a significant reduction of a skill or acquired knowledge tied to a critical IEP goal(s) that required more than the length of the break to recoup?
 - Yes No
- Indicate length of break and length of time required for recoupment.
 - Break = _____ days
 - Recoupment = _____ days

Guidelines for Recoupment Decision-Making

Length of break	Approximate Recoupment time with Specific Direct Instruction
11-12 weeks (summer)	25-35 instructional days
2 weeks	4-5 instructional days
1 week	2-3 instructional days

- Are you recommending that the student meets the "regression/recoupment" criteria to qualify for ESY services? Yes No

2. Degree and Nature of the Student’s Disability

A student is eligible for ESY services under the “Degree and Nature” criteria when a break in specialized instruction and/or therapy prevents the student from achieving/ maintaining a reasonable degree of personal independence (physical, behavioral, communicative) in the following functional skills identified as goals on the IEP. Check all that apply:

Area	Check if it is a critical goal for this student?
Physical mobility / muscular control	
Personal health / hygiene	
Self-care including toileting, eating, feeding and dressing	
Functional verbal communication that is substantially impaired or absent	
Functional academics including basic reading, and writing, concepts of time and money, recognition of letters and numbers	
Behavior: Impulse control	
Behavior: Aggressive behavior that threatens the physical well-being of the student or others, or which damages property	
Behavior: Unusual or repetitive habits including self-stimulation, fetishes or attachments to odd objects, which seriously interfere with learning	
Behavior: Withdrawal or inattentive behavior including extreme withdrawal, lack of awareness of what is happening in the immediate surroundings and demonstration of behavior not related to the situation	
Behavior: Extreme disruption of relationships with others including indifference or aversion to affection, extremely inappropriate or bizarre relations or communication with others	
Behavior: Extreme reactions to the environment such as severe anxiety reactions or catastrophic reactions to changes in the environment, and extremely inappropriate reactions to environmental clues, such as inappropriate use of common objects and inappropriate responses to simple verbal or nonverbal cues or symbols	

Are you recommending that the student meets the “degree and nature of the disability” criteria to qualify for ESY services? Yes No

3. Other Factors to Consider for ESY Determinations:

Any decision regarding needed ESY programming must take into account the child's history of significant regression and limited recoupment capability. In other words, a child's Team must look backward and forward when considering the need for ESY programming. In addition to significant regression and/or limited recoupment, courts have set forth other ESY criteria to be applied by a Team, as follows:

- slow rate of progress or lack of progress in meeting short-term objectives over two marking periods, resulting in little or no progress made over the school year
- parents' ability to provide structure at home
- child's specific behavior and/or physical problems
- availability of alternative resources
- child's ability to interact with non-disabled children
- specific curricular areas in which the child needs continuing attention
- vocational and transition needs of the child
- whether the service requested is "extraordinary" rather than usual in consideration of the child's condition
- parent input

Please describe why you are recommending ESY services for other factors:

4. How many days has the student been absent this school year?

_____ days

5. What are you recommending in terms of summer programming for this student related to goal areas?

- Language Arts: Decoding
- Language Arts: Reading comprehension
- Language Arts: Written expression
- Math: Calculation
- Math: Problem Solving
- Social Pragmatics Skills (recommended by SLP)
- Social / Recreational Skills
- Speech and language Services (recommended by SLP)
- OT Services (recommended by OT)
- PT Services (recommended by PT)

Other:

EXTENDED SCHOOL YEAR (ESY) DATA SUMMARY REPORT

Student Name: _____

Prepared by: _____

	Goal #	Goal #	Goal #
IEP Goals			
May Baseline			
September Skill Level			
Date Recouped			
December Baseline			
January Skill Level			
Date Recouped			
_____ Baseline			
_____ Skill Level			
Date Recouped			
_____ Baseline			
_____ Skill Level			
Date Recouped			
Parent Involvement:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No