



TIP SHEET

Extended School Year



What are extended school year (ESY) services?

Extended School Year (ESY) services are a provision in state and federal law that addresses special education and related services provided to students with disabilities when school is not in session. Not all children with disabilities need ESY services. All children, including those with disabilities, benefit from breaks in a school schedule. These breaks allow most children an opportunity to practice skills learned in school in other settings.

Some degree of loss in skills typically occurs with all students during regular school breaks and would not be considered significant. For some students with disabilities, interruptions in the school schedule will result in the loss of critical skills.

Who decides if a student with a disability receives ESY services?

The IEP team determines the need for ESY services. The IEP team consists of the parent, the child if appropriate, the general education teachers, the special education teachers and related service providers, a school district representative, and others as necessary. Each person plays an essential role by sharing information about the child and his or her unique needs. At the annual IEP meeting, the team must determine if a child needs a program of special education and related services that extends beyond the regular school year. The critical question that each IEP team must ask is, “Will the learning that

These students may need ESY services to avoid the permanent loss of a learning opportunity.

ESY services are intended to prevent or slow severe skill regression (the loss of critical skills) caused by an interruption of special education services when school is not in session. **Regression** is the inability to maintain a learned skill in an identified goal area of concern when there is a break in instruction and services. ESY is considered if specific goals and objectives will be severely impacted by the extended breaks in instruction and services to such an extent that **recoupment** (the ability to recover a loss of skills) would require an unusually long amount of time. ESY services are not intended to help your child improve their skills.

occurred during the regular school year be significantly jeopardized if ESY services are not provided?”

ESY is not just for students with specific categories of disability or those with severe disabilities. The burden is not on the parents to bring up ESY or to prove it is needed. Schools must identify needs, evaluate those needs, discuss them at the IEP meeting, and offer an appropriate education based on those needs. Also, schools cannot refuse to consider ESY services, deny ESY services due to district financial resources, or create a “one size fits all” program to provide ESY to all eligible students.

How does the IEP team determine the need for ESY?

Each IEP team makes decisions about providing ESY services by looking at your child's progress on any IEP goals targeting critical life skills. Some of the data gathered by schools measure a student's performance before and after breaks in the school calendar. It is essential to know that no one factor can be used to determine eligibility for ESY services.

When discussing ESY services with your child's IEP team, consider these critical life skills:

Academic, social, functional, and behavioral skills that:

- are linked to the IEP goals; and
- are critical to the student's school and community functioning

Examples of types of critical life skills:

- Skills designed to increase the student's independence from caretakers
- Skills required across a variety of environments
- Skills or behaviors that increase the student's independence in the school or community
- Skills designed to allow the student to move to or remain in a less restrictive environment
- Skills that permit the student to decrease or eliminate behaviors that interfere with the student's functioning at school or in the community
- Skills essential for the student's maintenance of academics, behavior, communication, or self-sufficiency and independence

Are all services in the IEP provided during ESY?

ESY services are intended to minimize the effects of significant regression. Therefore, it is reasonable for ESY services to concentrate on areas at risk for substantial regression. The IEP team determines which services will be provided during ESY. The team also decides the amount of service time a

child will receive during ESY. They may decide the student will continue all the IEP services during ESY, or determine the student will only receive a portion of services or one specific service. This decision is based on the needs of each student.

Where will ESY be provided?

The IEP team determines the location of ESY services. It can be offered at many different places, like in school or at a job site; however, the location and nature of service delivery can vary with the child's needs. Other appropriate service delivery options could include (but are not limited to):

- school-based programs that vary in length of time (e.g., two weeks, six weeks, etc.)
- grouping of children with similar goals and objectives
- programs provided by the school district

- a cooperative program with another agency
- limited child contact, perhaps 3-4 times during the summer to prevent regression
- a week of intensive review just before the beginning of the school year
- multi-school shared programs
- community-based programs
- transition opportunities.

Do parents pay for ESY services?

No. There is no cost to the parents for ESY services.

Will my child receive ESY services every year?

Your child's participation in ESY services one year does not automatically guarantee services in the following years. Also, the fact that ESY services were not provided in a prior year does not mean ESY services are not needed in the current year.

What happens if parents and the IEP team do not agree on ESY services?

Parents and the school district may not agree about ESY services. Some parents may decide that their child does not need ESY services. In that event, a school district cannot compel a child to participate in ESY services. Some districts may not offer ESY services when a parent believes their child needs support. If the parents and the school district cannot resolve their differences in the IEP

meeting, a prior written notice (PWN) will be sent to the parents explaining the IEP team's decision. If parents still disagree, they can ask for another IEP meeting, request free mediation services, or request a due process hearing. For more information on resolving differences, go to pti-nebraska.org/resolvingdifferences.

Key Points

Research shows that all students regress and lose skills during breaks in educational services

Most students can recoup/recover those skills in a reasonable amount of time

Reasonable recoupment time frames vary based on a child's individual learning style and rates. It is important to talk to your child's IEP team about a reasonable recoupment period for your student based on his/her needs

For more information about extended school year, contact your child's special education teacher, a PTI Nebraska parent/professional at (800) 284-8520 and pti-nebraska.org, or the Nebraska Department of Education at (402) 471-2471 and education.ne.gov/sped/.

The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children. See <https://sites.ed.gov/idea/> for more information on IDEA.

Rule 51 is the document that outlines regulations and standards for special education programs in Nebraska. Rule 51 can be found on the Nebraska Department of Education's website: https://cdn.education.ne.gov/wp-content/uploads/2017/10/Rule51_2017.pdf.

Rule 55 is the document that outlines rules of practice and procedure for due process hearing in special education contest cases. Rule 55 can be found on the Nebraska Department of Education's website: https://cdn.education.ne.gov/wp-content/uploads/2017/10/Rule55_2012.pdf

SOURCES

Kennett Consolidated School District

<https://www.kcsd.org/services/special-education/esy-parent-information/>

Nebraska Department of Education Guidance Document - Extended School Year

<https://cdn.education.ne.gov/wp-content/uploads/2017/09/Extended-School-Year-ESY-Guidance-Document-Aug-2018.pdf>

Pacer Center

<https://www.pacer.org/parent/php/PHP-c278.pdf>