

**LAPEER COUNTY  
EXTENDED SCHOOL YEAR  
GUIDELINES  
FOR STUDENTS  
WITH DISABILITIES**



Lapeer County Intermediate School District

Revised 1/09

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# **LAPEER COUNTY INTERMEDIATE SCHOOL DISTRICT EXTENDED SCHOOL YEAR (ESY) GUIDELINES**

## **INTRODUCTION**

The Individuals with Disabilities Act (IDEA) requires school districts to provide eligible students with a Free Appropriate Public Education (FAPE). For some of these students with disabilities, FAPE may include programs and/or services beyond the normal school year of the school district. This additional educational programming is referred to as Extended School Year (ESY).

Federal definition of Extended School Year services (IDEA issued 2006):

### **§ 300.106 Extended School Year services.**

(a) *General.*

- (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (1)(2) of this section.
- (2) Extended school year services must be provided only if a child's IEP team determines, on an individual basis, in accordance with §§300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.
- (3) In implementing the requirements in this section, a public agency may not –
  - (i) Limit extended school year services to particular categories of disability; or
  - (ii) Unilaterally limit the type, amount, or duration of those services.
- (b) *Definition.* As used in this section, the term extended school year services means special education and related services that –
  - (1) Are provided to a child with a disability–
    - (i) Beyond the normal school year of the public agency
    - (ii) In accordance with the child's IEP; and
    - (iii) At no cost to the parents of the child; and
  - (2) Meet the standards of the SEA (State Education Agency).

## **DEFINITION OF EXTENDED SCHOOL YEAR SERVICES IN MICHIGAN**

ESY services refer to special education and/or related services provided beyond the normal school year for the purpose of providing a Free Appropriate Public Education to a student with a disability. Some students may suffer such significant loss of skills during periods of interruption of services that it will jeopardize progress made during the normal school year.

All students who are eligible for special education and/or related services **MUST** be considered for ESY services at each IEP, although **MOST** students will not be entitled to these services.

Every student has unique needs, and 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.

# THREE STANDARDS FOR EXTENDED SCHOOL YEAR SERVICES IN MICHIGAN

## #1 – Regression / Recoupment

## #2 – Nature or Severity of the Disability

## #3 – Critical Stages or Areas of Learning

### Standard #1 - Regression / Recoupment

**Regression** – refers to the inability of the student to maintain an acquired skill in an identified goal area 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** – Recoupment is the student's capacity to recover those skills that have regressed to a level demonstrated prior to the break in instruction.

Regression/recoupment is a pattern of significant loss of critical skills during extended breaks in instruction and the period of time it takes for the student to regain those critical skills once instruction begins again. The potential period of recoupment must be beyond a reasonable amount of time. The recoupment period considered reasonable differs based on the student's capacity to regain, the ability to perform, and the skill or behavior in question.

### Standard #2 - Nature/Severity of the Disability

The nature or severity of the student's disability may require highly-structured or consistent programming without substantial breaks in service in order to make progress in the identified goal area(s) of concern. Students with severe disability may revert to lower-functioning levels or exhibit more behaviors which interfere with learning after a long break in programming. The chronic nature of his or her disability may also indicate the need for services to maintain skills that would otherwise be lost or not recovered in a reasonable amount of time.

### Standard #3 - Critical Stages/Areas of Learning

**Critical Stage in Learning** – means that this learning must occur without delay and that learning the skills in the identified goal area(s) of concern will enhance the student's ability to function independently.

**Critical Area of Learning** – means an area of instruction that is essential to the student's development in becoming self-sufficient and independent.

Critical stages or areas of learning address skills that need to be mastered immediately or are at a critical stage of development. If services were ceased the degree of mastery would be permanently reduced.

## ESY IS:

- considered at every IEP;
- to address goal(s) from the **current IEP**;
- supported by data and documentation;
- supported by professional rationale of service provider(s) knowledgeable about the student's performance on current IEP goals;
- individualized:
  - The length, frequency and duration of ESY programs and services may be different for different students.
  - Not all skill areas may be affected in the same way by an interruption in services. Some skills may not regress. Those that regress may do so at different rates and even recoup at different rates.
  - Previous entitlement to ESY does not create an ongoing entitlement; ESY levels of services in one year may not be the appropriate ESY in an ensuing year.
  - Focus on services the student needs for ESY.

## ESY IS NOT:

- based on a category of disability or program assignment;
- based on a formula;
- an automatic program provision from year to year;
- a service to be provided to maximize each student's potential;
- required to be provided in a traditional classroom setting;
- intended to duplicate all service(s) provided during the normal school year;
- required to create new programs;
- for new goals and objectives;
- for goals not yet mastered. The determination of what services are necessary must be based on those services needed in order for the student to receive FAPE;
- for goals/objectives not yet introduced;
- for continuing progress during breaks in the normal school year. **It is anticipated that students with disabilities, just as their nondisabled peers, will experience some regression during a cessation of services.** ESY is intended only to address skill regression so that recoupment can be accomplished within the typical recoupment period; and
- needed for FAPE if there is no goal area(s) of concern.

## **DATA COLLECTION AND DOCUMENTATION**

As in all IEP decisions, the determination of eligibility for Extended School Year services must be based on data.

Data sources may include (**but are not limited to**):

- pre/post data collected before/after break in normal school year;
- outside agency or professional report;
- medical reports;
- vocational or pre-vocational assessments, etc;
- case notes;
- current assessments;
- parent input.

### **EXAMPLES OF EXTENDED SCHOOL YEAR SERVICES:**

- home-based programs that include parent training;
- a week of intensive review just prior to beginning of the school year;
- intermittent short-term instruction in goal area throughout break to prevent regression;
- related service at a community recreation program;
- consultation with a job coach; service providers;
- school-based programs that vary in length of schedule.

## **EXTENDED SCHOOL YEAR RESPONSIBILITIES**

### **LEA/LCISD Special Education Staff Responsibility:**

- Identify caseload students with suspected ESY needs and submit names to Special Education Administrator.
- Submit appropriate documentation to Special Education Administrator by February 1.
- Convene/participate in IEP team meeting to address possible ESY services by April 1. This may be addressed in an Amendment to the IEP.

### **LEA Special Education Administrator Responsibility:**

- Be a resource to LEA/LCISD Special Education Staff.
- Consult with LEA/LCISD Special Education staff regarding suspected/requested ESY service needs.
- Review/complete ESY Documentation of Needs Summary and distribute to staff by March 1.
- Coordinate / allocate staff, materials to support documented ESY need.

**ESY Provider Responsibility:**

- Communicate with the case coordinator of each student prior to and after the ESY service.
- Assess student progress pre and post ESY programming and/or services.
- Provide services consistent with current IEP goals identified for ESY services.
- Communicate with parents during the ESY service.
- Provide data/documentation regarding ESY services to Special Education Administrator at the conclusion of the ESY services.

**Family Responsibility:**

- Discuss the concerns with the child's provider(s) for possible need for ESY services.
- Participate in IEP team meeting to determine the need for ESY services.
- Provide transportation to and from ESY services.

**Scheduling:**

- The ESY service, location, frequency and duration will be identified through the IEP. Missed appointments occasioned by the district (e.g., illness of the therapist) will be rescheduled. Missed appointments due to non-district issues (e.g., illness of the child) are not required to be rescheduled.
- Special Education Administrator will assign certified staff as appropriate for the delivery of ESY services.

## **Appendices**

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- B. What are Extended School Year Services?
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