

Student's Name

E. EXTENDED SCHOOL YEAR (ESY) - The IEP team has considered and discussed ESY services, and determined that:

Student IS eligible for ESY based on the following information or data reviewed by the IEP team:

OR

As of the date of this IEP, student is NOT eligible for ESY based on the following information or data reviewed by the IEP team:

The Annual Goals and, when appropriate, Short Term Objectives from this IEP that are to be addressed in the student's ESY Program are: If the IEP team has determined ESY is appropriate, complete the following.

<i>ESY Service to be Provided</i>	<i>Location</i>	<i>Frequency</i>	<i>Projected Beginning Date</i>	<i>Anticipated Duration</i>

**ANNOTATION:**

At each IEP meeting for a student with disabilities, the LEA must determine whether the student is eligible for ESY services and if so, make subsequent determinations about the services to be provided. The IEP team must indicate whether the student is eligible or is not eligible for ESY, and the basis for the determination. This determination must be made even if the student's parents have not specifically requested that their child be evaluated for ESY programming.

In considering whether a student is eligible for ESY services, the IEP team must consider the factors below. However, **no one factor** by itself can be used to determine eligibility for ESY services. The child may be eligible by meeting just one of the criteria, but all seven factors must be considered by the IEP team.

- Regression--whether the student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors that occurs as a result of an interruption in educational programming.
- Recoupment--whether the student has the capacity to recover the skills or behavior patterns in which regression occurred to a level demonstrated prior to the interruption of educational programming.

- Whether the student's difficulties with regression and recoupment make it unlikely that the student will maintain the skills and behaviors relevant to IEP goals and objectives.
- The extent to which the student has mastered and consolidated an important skill or behavior at the point when educational programming would be interrupted.
- The extent to which a skill or behavior is particularly crucial for the student to meet the IEP goals of self-sufficiency and independence from caretakers.
- The extent to which successive interruptions in educational programming result in a student's withdrawal from the learning process.
- Whether the student's disability is severe, such as autism/pervasive developmental disorder, serious emotional disturbance, severe intellectual disability, degenerative impairments with mental involvement and severe multiple disabilities.

The determination of eligibility must be based upon the above factors, as well as reliable sources of information regarding a student's educational needs, propensity to progress, recoupment potential and year-to-year progress. Sources may include the following:

- Progress on goals in consecutive IEPs.
- Progress reports maintained by educators, therapists and others having direct contact with the student before and after interruptions in the education program.
- Reports by parents of negative changes in adaptive behaviors or in other skill areas.
- Medical or other agency reports indicating degenerative-type difficulties, which become exacerbated during breaks in educational services.
- Observations and opinions by educators, parents and others.
- Results of tests including criterion-referenced tests, curriculum-based assessments, ecological life skills assessments and other equivalent measures.

NOTE: The factors and sources used for the determination of eligibility must be specified in writing on the IEP. The need for ESY services will not be based on any of the following:

- The desire or need for day care or respite care services
- The desire or need for a summer recreation program.
- The desire or need for other programs or services which, while they may provide educational benefit, are not required to ensure the provision of a free appropriate public education.

Determining ESY should not be based on whether the student meets all annual goals. The annual goals are predictions of where the student will be based on current performance. Using appropriate data collection and progress monitoring, teams will be aware of the student's performance and make adjustments throughout the year. If the prediction of what the student can accomplish is incorrect, the data collection procedures will provide the information necessary to review and revise the IEP. If all goals are not met during the year it does not mean that ESY necessarily needs to be provided to meet the listed objectives.

Students with severe disabilities such as autism/pervasive developmental disorder, serious emotional disturbance, severe intellectual disability, degenerative impairments with mental involvement, and severe multiple disabilities require expeditious determinations of eligibility for extended school year services to be provided as follows:

1. Parents of students with severe disabilities must be notified by the LEA of the annual review meeting to ensure their participation
2. The IEP review meeting must occur no later than February 28 of each school year for students with severe disabilities
3. The Notice of Recommended Educational Placement/Prior Written Notice (NOREP/PWN) must be issued to the parent no later than March 31 of the school year for students with severe disabilities
4. If a student with a severe disability transfers into a LEA after the dates in sentences 2) and 3), and the ESY eligibility decision has not been made, the eligibility and program content must be determined at the IEP meeting

ESY determinations for students other than those described previously (autism/pervasive developmental disorder, serious emotional disturbance, severe intellectual disability, degenerative impairments with mental involvement, and severe multiple disabilities) are not subject to the timelines listed in sentences 2) and 3). However, these determinations must still be made in a timely manner. If the parents disagree with the LEA's recommendation on ESY, the parents will be afforded an expedited due process hearing.

When ESY services are offered, the IEP must contain a description of:

- The type of ESY service (e.g., Instruction by the special education teacher)
- The location where the service will be provided (e.g., In the student's home)
- The frequency of the service (how frequently the ESY service will be provided to the student) (e.g., 30 minutes/day, 5 days/week)
- The projected beginning date (e.g. 7 - 5 - 09); AND
- Anticipated duration of service (when the service will end) (e.g., 8 - 15 - 09)

If the IEP team has determined that ESY is necessary for the provision of FAPE, the team must specify the annual goal(s) and objectives to be addressed in the ESY services. This can be done by writing out the measurable annual goal(s) and short-term objectives or by referencing the specific goal(s) and objectives under Section V of the IEP.

Example: The IEP team has determined that the child is eligible for ESY services. This determination was based upon progress reports by the special education teacher indicating that following extended breaks in service, the child's skills in completing the seven-step toileting process deteriorated significantly. Goals and Objectives to be addressed in ESY Program: Refer to annual goals and objectives #5, 8, and 12.