



## **Extended School Year (ESY) Information for Parents**

### **What is Extended School Year?**

Extended School Year (ESY) services are special education and related services provided to students with disabilities beyond the regular school year. The Individuals with Disabilities Education Act (IDEA), the federal special education law, requires school districts to provide ESY services if a student needs these services to receive a free appropriate public education (FAPE). In some cases, interruptions in the school schedule, such as summer break, weekends, and holidays, will result in children with disabilities losing many of their basic skills and taking a long time to get those skills back once school begins again. ESY services are provided during breaks in the educational schedule to prevent this loss.

### **What ESY is not?**

Extended School Year services are not day care or respite services. They are not a summer recreation program or other programs or services that are not required to ensure the provision of a free, appropriate public education (FAPE) to a student- even if they provide some educational benefit.

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

Every student with a disability, who qualifies for special education, has an Individualized Education Plan (IEP). It describes the programs and services necessary for FAPE. This plan is written at a meeting of the IEP team, which is made up of the student's parents, teachers, and other educational professionals. One of the issues discussed and decided upon at the IEP meeting is whether or not the student needs ESY services as part of the special education program. ESY must be considered each year for every child with a disability at the IEP meeting, not just for students with certain categories of disability or those with severe disabilities.

### **When will the ESY decision be made?**

ESY decisions are made at the IEP meeting. Decisions about ESY in CSD are *typically* made by March 31st of each year.

### **What is the ESY decision based on?**

The IEP team makes its decision about providing ESY services by looking at information about the student's performance that has been gathered all year. Some of this information measures student achievement before and after breaks from school. The team can also gather information from teachers' and parents' observations of the student's behavior and skills before and after breaks. Medical or other agency reports can also be accessed. The team needs to look at factors like:

- Will the student regress (revert to a lower level of functioning) in skills or behaviors as a result of an interruption in educational programming?
- Will the student take a long time to recoup (recover) the skills or behavior patterns that were lost during a break in educational programming?
- Will a pattern of difficulties with regression and recoupment make it unlikely that a student will maintain the skills and behaviors relevant to IEP goals and objectives?
- Will a lapse in services substantially reduce a student's chances of ever learning a critical life skill or behavior related to the IEP?
- Is the student at a crucial stage in mastering a life skill that is related to the IEP goals of self-sufficiency and independence from caregivers?
- Does the student have a severe disability such as autism/pervasive developmental disorder, a serious emotional disturbance, severe intellectual disability, degenerative impairments with mental involvement, or severe multiple disabilities? No one factor, however, can be used to determine eligibility for ESY services.
- ESY services are not do not automatically occur annually just because a student received it the year prior.

### **Which services will be provided during the Extended School Year?**

The IEP team will determine which services and how much of these services will be provided during the extended school year. The team may decide that the student will continue all the services received during the regular school year, or they may decide that 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 where ESY will be provided. It can be provided at many different places, like in school or at a job site. It is always provided in the least restrictive environment



(LRE) that is appropriate for the student. This means that the student with disabilities is placed in a situation that allows opportunities to be with students who are not disabled. However, the school district is not required to assemble nondisabled students just to make the ESY environment less restrictive. ESY services can be appropriate ESY in that setting.

### **Is there a charge for ESY services?**

No. ESY services are provided in order that the student receives a free appropriate public education. Therefore, ESY services, including required special education and related services such as occupational therapy, physical therapy, or transportation, must be provided at no cost to the parent.

If the LEA elects to provide ESY services in a nontraditional setting, the parent could be assessed a fee for the non-educational portion of the program that are not required for provision of FAPE, consistent with the fee charged to the parent of any child in the program. However, an LEA would have to exercise caution that other service delivery options to provide ESY services are available for those parents who are unable or unwilling to assume the cost of the program.

### **What happens if parents and the IEP team do not agree about ESY services?**

If parents and the school entity do not agree about ESY services and cannot resolve their differences in the IEP meeting, the parent can request another IEP meeting to discuss their concerns and/or submit additional data to the team for consideration. If the team is unable to reach an agreement, prior written notice will be sent to the parents explaining the IEP team's decision. If the parent still disagrees, they can request for free mediation services, or request a due process hearing. Mediation services use a neutral, specially-trained mediator who meets with both parties and helps them reach an agreement. A due process hearing is held before an impartial hearing officer who listens to both sides and then makes a written decision. If the parent requests mediation or a due process hearing, the pendency provisions of state and federal law apply, and there should be no change in ESY eligibility or program, unless agreed to by the parties, pending completion of due process proceedings. More information about parents' rights and due process is provided in the Procedural Safeguards Notice that is distributed with the Prior Written Notice.

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