I. Definition

The term extended school year ("ESY") services means special education and related services that are provided to a child with a disability (ages 3 through 21) beyond the School District’s normal school year in accordance with the child’s IEP that are necessary for the child to receive a free appropriate public education in accordance with state standards and the Individuals with Disabilities Education Act, as amended ("IDEA"). It is the District’s intent to make ESY services available at no cost to each child with a disability who is determined to need the services in accordance with this policy.

II. PROCEDURES

A. The IEP team for each child with a disability will determine his or her need for ESY services, regardless of the child’s categorical disability. The IEP team will consider each child’s ESY need at the child’s annual review meeting, and any IEP team member may also raise the issue at any other time. The IEP team will determine ESY need in a timely manner to ensure that each child consistently receives a free appropriate public education.

B. The purpose of ESY services is to ensure that each child receives meaningful educational benefit. To determine whether a child needs ESY services, the IEP team will consider the following factors as relevant to the child:

1. The child’s degree of impairment;
2. The child’s actual/predicted degree of regression;
3. The child’s actual/predicted time necessary for recoupment of skills; ESY services may be appropriate when the team determines that a child has regressed or is predicted to regress to such a severe degree in a critical skill area that recovery of such skill loss following the break in programming is unlikely or would require an unusually long period of time to recoup skills obtained;
4. The ability of the child’s parents to provide educational structure at home; After affirming a parent’s capacity to maintain a child’s skills during the summer, an IEP team may determine that an appropriate ESY program consists totally or partially of such intervention. Even where a serious regression/recoupment problem has previously been documented, if the IEP team determines that parents are capable of maintaining a child’s skills over the summer months or beyond the normal school year, the District may not be required to provide additional services;
5. The child’s rate of progress;
6. The child’s behavioral problems;
7. The child’s physical problems;
8. The availability of alternative resources;
9. The ability of the child to interact with nondisabled children;
10. The area(s) of the child’s curriculum that require continuous attention;
11. The child’s vocational needs;
12. The least restrictive environment for services; and
13. Other relevant factors as determined by the IEP team.

C. In making the determination, the IEP team will collect, review and analyze existing information and pertinent data, including, but not limited to, the child’s impairment, educational history and present levels of academic achievement and functional educational performance, which could include the following:
1. Criterion referenced and standardized tests, including pre-test and post-test data of a student’s progress;
2. Functional assessments used in natural environments (home, community, work and school);
3. An analysis of data collected on a regular basis;
4. Evaluations of those areas involving related services;
5. Parent, student and/or service provider information;
6. Interviews with teachers and parents on the success or potential success of ESY services; and
7. An applied behavior analysis to directly assess students’ performance of IEP objectives across time.

To document the decision concerning a child’s need for ESY, the IEP team will use the State Department of Education Form, Consideration for Extended School Year Services.

D. If the IEP team determines that the child needs ESY services, it will complete appropriate documentation, such as the IEP/Review, to reflect the child’s ESY program and placement. The IEP team will identify which goal(s) and objectives/benchmarks, if any, will be addressed by the child’s ESY services. The IEP team will not unilaterally limit the type, amount or duration of ESY services, but will instead determine those services on an individual basis in accordance with state and federal law and regulations and this policy.

Parents or guardians may request a hearing under the IDEA to challenge the provision of a free appropriate public education for a child with a disability, or the child’s identification, evaluation or educational placement.