



# EXTENDED SCHOOL YEAR

Presented by Micki Moran

The Child and Family Law Center

# PRIORITIZE

---

What does your child need for summer school?

This is different for each child

Cost –benefit analysis regarding extended school year.

Decisions are not made until late in the year and it makes it hard for parents to dispute the recommendation.

# COMMON ESY ERRORS

- ✘ This is all we have.
- ✘ We give this to everyone.



# REGRESSION/RECOUPMENT

---

- ✘ Regression-recoupment is one measure for determining whether a child may need extended school year. It cannot be the only method for determining whether ESY is necessary.

# PURPOSE OF ESY

---

- ✘ To maintain or minimize the loss of current skills.
- ✘ To target goals/objectives taught during the current school year.
- ✘ It is not to teach new skills.

# EXTENDED SCHOOL YEAR SERVICES

---

- ✘ Determined by the student's IEP team, after a careful review of data which supports criteria of either regression or recoupment, failure to progress or exceptional circumstances.

# EXCEPTIONAL CIRCUMSTANCES

---

- ✘ Emerging skill or breakthrough in learning
- ✘ Interfering behaviors

# ESY AND LEAST RESTRICTIVE ENVIRONMENT

- ✘ If a disabled child needs ESY services in order to prevent substantial regression, the child's ESY placement is an integral part of his or her twelve month educational program.... The Second Circuit stated that IDEA requires that education be provided in the least restrictive education setting consistent with the student's needs, not the least restrictive setting the school district chooses to make a



# REGRESSION

---

- ✘ Regression- Amount of loss during a scheduled break in instruction of a learned skill or acquired knowledge which has been specified in the measureable annual goals and short-term objectives or benchmarks in the child's IEP.
- ✘ ( Winter and Spring Break are examples)
- ✘ Should be based on data.

# RECOUPMENT

---

- ✘ Recoupment – amount of time required to recoup those lost skills when school instruction resumes. A district may establish its own standard for what it believes to be a reasonable amount of time for a student with a disability to relearn lost skills or knowledge. *Guidance from ISBE suggests that review and re-teaching should not extend beyond the first thirty school days of the school year.*

# ESY...

---

- ✘ The regulations state that ESY must be provided when an IEP team determines it to be necessary for the individual student to receive a free, appropriate, public education.

# FACTORS

---

ESY eligibility – No single factor

- ✘ Degree of Impairment
- ✘ Ability of child's parents to maintain the child's level of skills.
- ✘ Whether service is extraordinary to the child's condition
- ✘ Child's rate of progress

# FACTORS (CONT)

---

- ✘ Retrospective data such as past regression and rates of recoupment of skills.



# ESY

---

- ✘ A school district shall not limit its provision of services during an extended school year to particular categories of disability, nor shall the district unilaterally limit the type, amount or duration of such services.

ESY



# LRE AND EXTENDED SCHOOL YEAR

- ✘ If a disabled child needs ESY services in order to prevent substantial regression, the child's ESY placement is an integral part of his or her twelve-month educational program.
- ✘ The IDEA requires education to be provided in the least restrictive educational setting consistent with the student's needs, not the least restrictive setting that the school chooses to make available.