Extended School Year (ESY) Training Series Modules

Overview: In order to support LEAs and nonpublic programs in preparing for ESY programming and services, OSSE has created a four-part training series.

- **Module I: ESY Eligibility Determinations**

  – Audience: IEP team members and special education administrators

- **Module II: Documentation of ESY in the Special Education Data System (SEDS)**

  – Audience: IEP team members and special education administrators

- **Module III: ESY and the Transportation Online Tool for Education (TOTE)**

  – Audience: TOTE users and special education administrators

- **Module IV: ESY Module in the Statewide Longitudinal Education Data system (SLED)**

  – Audience: SLED administrators and special education administrators

Extended School Year
Module I: ESY Eligibility Determinations

Spring 2016

Agenda

A. ESY Overview and State-level Policy

B. ESY Certification Requirements

C. Determining and Documenting ESY Eligibility

D. ESY Transportation

E. Additional Resources

ESY Overview and State-level Policy

Federal ESY Requirements

Individuals with Disabilities Education Act (IDEA)

"The term <u>extended school year services</u> means special education and related services that--
  (1) Are provided to a child with a disability--
     (i)   Beyond the normal school year of the [LEA];
     (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."

34 CFR §300.106 (b)

Federal ESY Requirements

Individuals with Disabilities Education Act (IDEA)

LEAs "must ensure that extended school year services are available ... if a child's IEP Team determines, on an individual basis ... that the services are necessary for the provision of FAPE to the child."

34 CFR §300.106(a)(2)

LEAs "may not limit extended school year services to particular categories of disability or unilaterally limit the type, amount, or duration of those services."

34 CFR §300.106 (a)(3)

Local ESY Requirements

The Office of the State Superintendent of Education (OSSE) issued the *Extended School Year (ESY) Services Policy* on March 10, 2011, to establish state-level standards and criteria for ESY services that are consistent with the Individuals with Disabilities Education Act (IDEA) requirement to provide a free appropriate public education (FAPE) to all children with disabilities.

Local ESY Requirements

Individualized Education Program (IEP) Team Decisions

❖ **Eligibility for ESY services must be considered at least once a year as part of the annual IEP review, and must be based on current data.**

❖ **LEAs must ensure that the following decisions are made appropriately and documented in each child's IEP in a timely manner:**

- ✓ **ESY eligibility determination (using OSSE's eligibility framework);**

- ✓ **Special education and related service designation (including frequency, duration, and setting);**

- ✓ **ESY goal development; and**

- ✓ **ESY-related transportation services eligibility determination.**

Local ESY Requirements

IEP Amendments for ESY Eligibility Decision

❖ **An IEP Team may need to reconvene if current data shows a need to change a student's ESY eligibility status.**

❖ **LEAs must use the IEP amendment process to change an ESY eligibility decision for a student.**

❖ **LEAs must base ESY decisions on at least three months of current progress monitoring data.**

Local ESY Requirements

ESY Decisions, Service Provision, and Documentation

❖ **LEAs must have knowledge of, involvement or participation in the IEP Team decisions regarding eligibility and service designation for ESY– including those decisions made for students served by nonpublic programs.**

❖ **LEAs must ensure ESY services are implemented correctly, service logs are completed, and closeout summaries are entered in SEDS.**

Local ESY Requirements

Annual Certification Requirement

❖ **LEAs must provide adequate and timely notice to OSSE of ESY-related transportation and ESY nonpublic services through the certification process.**

  ❖ **Certification must be completed by the first Monday in May**

❖ **Each student's ESY eligibility status and ESY goals, services and transportation status must be updated and documented in SEDS**

❖ **All ESY transportation eligibility determinations and demographic information must be accurate and updated in the Transportation Online Tool for Education (TOTE) system**

Local ESY Requirements

Early Childhood Transition (ECT) Guidelines

❖ **OSSE's Extended School Year (ESY) Services Policy applies to all children with IEPs, including children starting school for the first time.**

❖ **ESY services are appropriate if the IEP Team decides that the break in service (time elapsed) between IEP development and start of school will result in significant critical skill regression.**

❖ **If insufficient Part B data is available, IEP Teams should request early intervention data from Part C, and utilize this data to determine eligibility.**

ESY Certification Requirements

ESY Certification

Each spring all LEAs must certify ESY data to OSSE by the first Monday in May.

Purposes of Certification:

❖ **Assists LEAs and nonpublic programs in appropriate planning and staffing for the summer months**

❖ **Assists OSSE in anticipating state-level expenses and transportation needs**

ESY Certification

Steps to certify ESY data:

1. Ensure student-level decisions on ESY eligibility status, goals and services, and transportation are updated and accurate in SEDS as part of a finalized current IEP.

2. Enter ESY calendar and bell times into TOTE.

3. Confirm student eligibility and ESY location information in TOTE.

4. Submit transportation requests for all students requiring services in TOTE.

Determining and Documenting ESY Eligibility

ESY Consideration: Utilization of Child Data

Analysis of Data

❖ **IEP Teams must use child-specific data to quantify, to the extent possible, the likely impact of a break in service on educational benefit, through a rigorous discussion of critical skill regression and recoupment.**

❖ **IEP Teams must utilize <u>at least three months of progress monitoring data.</u> Examples of data include:**

> ❖ Historical data of the child's rate of progress toward critical skill attainment, rate of regression of a critical skill, and time needed for the critical skill recoupment;
>
> ❖ Medical records or evaluations that speak to the nature and/or severity of the child's identified disability;
>
> ❖ Current developmental data that indicate a critical stage of breakthrough or attainment of an emerging skill.

ESY Consideration: Utilization of Child Data
Eligibility Framework for ESY Services

- ❖ **Criterion 1: Impact of Break in Service on Critical Skill(s)**
- ❖ **Criterion 2: Degree of Regression of Critical Skill(s)**
- ❖ **Criterion 3: Time Required for Recoupment of Critical Skill(s)**

IEP Teams must apply the eligibility framework using the ESY Eligibility Worksheet found in SEDS. (LEAs must upload a completed worksheet for each child with an IEP within five business days of making the ESY eligibility decision).

Student Name: _____ Student ID Number: _____ LEA of Enrollment: _____

EXTENDED SCHOOL YEAR (ESY) ELIGIBILITY WORKSHEET

CRITERION	DESCRIBE & ANALYZE STUDENT DATA	IEP TEAM CONSENSUS
Criterion 1: Impact of Break in Service on Critical Skill(s)		*Will one or more of the student's critical skills be jeopardized by the break in service?* **NO** ⬇ **STOP** ESY services are not necessary for FAPE if the IEP Team does not have concerns about any of the student's critical skills. — **YES** CONTINUE TO CRITERION 2 ⬇
Criterion 2: Degree of Regression of Critical Skill(s)		*Is there a likelihood of significant regression of the identified critical skill(s)?* **NO** ⬇ **STOP** ESY services are not necessary for FAPE if there is little or no risk of significant critical skill regression. — **YES** CONTINUE TO CRITERION 3 ⬇
Criterion 3: Time Required for Recoupment of Critical Skill(s)		*Can the student recoup the identified critical skill(s) with re-teaching in a reasonable amount of time?* **NO** ⬇ **STOP** ESY services are not appropriate for students who can recoup critical skills within a reasonable amount of time. — **YES** REVIEW OF CRITERIA COMPLETED. PLEASE INDICATE IEP TEAM DETERMINATION BELOW.

IEP TEAM DETERMINATION: Is the student eligible for Extended School Year (ESY) Services?   ☐ NO ☐ YES
DATE OF DETERMINATION: _____/_____/ 20_____

NEXT STEPS: Enter the IEP Team's decision on the ESY page of the student's IEP in SEDS. Print out the cover sheet located on Documents Tab in SEDS, and fax both documents into SEDS. Then complete the services and goal portion of the ESY section in the student's IEP in SEDS.

ESY Eligibility Framework, Criterion 1

Criterion 1: Impact of Break in Service on Critical Skills
RULE: IDENTIFY CRITICAL SKILL(S)

ASK: *What is a critical skill?*
- ❖ **Essential to overall educational progress**
- ❖ **Must have educational impact, includes:**
    - ▪ **Academic skills (*e.g.*, reading, writing, math, etc.)**
    - ▪ **Non-academic skills with direct educational impact (*e.g.*, social, functional, behavioral, motor skills, etc.)**

NOTE: Definition of critical skill is broad enough to apply to all age groups and disability categories.

ESY Eligibility Framework, Criterion 1

Describe and Analyze Data for Criterion 1

ASK: *Will one or more of the child's critical skills be jeopardized by the break in service?*

❖ **Analyze data such as the nature/severity of the disability, rate at which the child learns, rate of regression (unlearning) over past breaks, whether the attainment of the skill is currently at a critical point in development (emerging skill), current service level, and the length of the break.**

CRITERION	DESCRIBE & ANALYZE STUDENT DATA	IEP TEAM CONSENSUS	
Criterion 1: Impact of Break in Service on Critical Skill(s)	Critical skills Analyzed: Math, Reading, Speech. After 2-week December break he's still making steady progress in math & speech goals, although no mastery yet. However, his reading levels, particularly in phonics, dropped far below his pre-break levels. Before X-mas: 80% accuracy in teacher-assessed reading passages.	Will one or more of the student's critical skills be jeopardized by the break in service? **NO** ⊘ STOP ESY services are not necessary for FAPE if the IEP Team does not have concerns about any of the student's critical skills.	**YES** CONTINUE TO CRITERION 2 ⬇
Criterion 2: Degree of	After X-mas it dropped to 45%, which is 35% decline in just 2 weeks. Antonio is	Is there a likelihood of significant regression of the identified critical skill(s)? NO	YES

ESY Eligibility Framework, Criterion 2

RULE: UTILIZE AT LEAST THREE MONTHS OF CURRENT PROGRESS-MONITORING DATA.

Criterion 2: Degree of Regression of Critical Skill(s)

ASK: *What is progress-monitoring data?*

❖ **Information that, collected and measured over time, demonstrates a performance trend toward or away from the achievement of a specific goal in the IEP.**

ASK: *What is regression?*

❖ **A decrease in performance level or ability related to a previously attained or partially attained (emerging) critical skill.**

Describe and Analyze Data for Criterion 2

ASK: *What does the progress-monitoring data suggest about the anticipated degree of critical skill regression?*

❖ **The IEP Team must determine if there is a likelihood of <u>significant</u> regression (*i.e.*, the child would need to re-learn the critical skill or skill set in its entirety, to the detriment of his/her overall educational progress).**

Criterion 2: Degree of Regression of Critical Skill(s)	After X-mas it dropped to 45%, which is 35% decline in just 2 weeks. Antonio is trending away from his IEP reading goals. Now it's March and he's finally back to 80% consistently, he's on the verge of mastery of his IEP phonic skill (85% goal on IEP) and his mastery on phonics is an emerging skill set.	Is there a likelihood of significant regression of the identified critical skill(s)?

Is there a likelihood of significant regression of the identified critical skill(s)?

NO	YES
⊘ STOP	CONTINUE TO CRITERION 3
ESY services are not necessary for FAPE if there is little or no risk of significant critical skill regression.	⇩

Can the student recoup the identified critical skill(s) with re-teaching in a reasonable amount of time?

Criterion 2:

ESY Eligibility Framework, Criterion 3

Criterion 3: Time Required for Recoupment of Critical Skill

RULE: DUE TO NATURAL REGRESSION, MOST CHILDREN WILL REQUIRE SOME RE-TEACHING FOR RECOUPMENT ONCE SCHOOL BEGINS; A FEW CHILDREN MAY REQUIRE EXTRAORDINARY TIME FOR RECOUPMENT OF SKILLS.

ASK: *What is recoupment?*

❖ **A child's capacity to recover a regressed critical skill to a degree demonstrated prior to the break in service.**

ASK: *Why is time required for recoupment central to ESY eligibility decisions?*

❖ **ESY services are not appropriate for children with disabilities who can recoup critical skills without an extraordinary amount of time re-teaching.**

Describe and Analyze Data for Criterion 3

ASK: *Is the time required for critical skill recoupment extraordinary within the context of expectations for acquisition of additional skills during the new school year?*

❖ **The IEP Team must assess whether the time the child requires for critical skill recoupment is extraordinary.**

Critical Skill(s)	Now it's March and he's finally back to 80% consistently, he's on the verge of mastery of his IEP phonic skill (85% goal on IEP) and his	STOP ESY services are not necessary for FAPE if there is little or no risk of significant critical skill regression.	CONTINUE TO CRITERION 3 ⬇
Criterion 3: Time Required for Recoupment of Critical Skill(s)	mastery on phonics is an emerging skill set. But, when he misses a few days he backslides. It took him extraordinary time to recoup to 80% mastery, even with extra 1-on-1 help. Also, past history shows he hasn't moved up a grade in reading level for 2 years. Antonio needs ESY for reading but not for math or speech.	*Can the student recoup the identified critical skill(s) with re-teaching in a reasonable amount of time?* NO ⬇ REVIEW OF CRITERIA COMPLETED. PLEASE INDICATE IEP TEAM DETERMINATION BELOW.	YES 🚫 STOP ESY services are not appropriate for students who can recoup critical skills within a reasonable amount of time.

IEP TEAM DETERMINATION: Is the student eligible for Extended School Year (ESY) Services? ☐ NO ☒ YES

ESY Eligibility Framework

Helpful Discussion Questions

❖ **Without ESY services, will the child be able to benefit from, and make adequate progress related to, his/her educational program during the school year?**

❖ **Without ESY services, is there a likelihood that the child will need a more restrictive placement in the upcoming school year?**

❖ **Are there any children whose ESY needs have changed since the annual IEP review (*e.g.*, child may have mastered previously identified critical skill)? If so, the IEP needs to be amended.**

❖ **Are there any children with IEPs who are starting school for the first time who may need ESY services? If so, these children need to be accounted for and appropriate service arrangements need to be made.**

Documenting ESY Eligibility in SEDS

❖ **The IEP Team must select YES or NO in SEDS.**

❖ **The IEP Team must select YES or NO on the ESY Eligibility Worksheet and fax it into SEDS within five days of the eligibility decision, as evidence of the YES/NO decision chosen in SEDS.**

❖ **As the school year goes on, if the student's current data shows the need for a change in ESY status or services, the IEP Team must make the change through the IEP Amendment process.**

ESY Eligibility					?

The IEP Team is required to review the Extended School Year (ESY) Policy requirements prior to making a decision about the student's ESY eligibility. Follow the link to the Criteria Worksheet. Complete the worksheet to determine whether the student is eligible for ESY. Fax in the worksheet using the coversheet within five (5) business days of the ESY eligibility determination.

SEA Criteria Worksheet for ESY

Create ESY Criteria Cover Sheet

Del	Date Generated	Document Type	EasyFax	Date Received	Upload
☐	03/18/2016	ESY Criteria Cover Sheet			**Upload Files**

Permitted file extensions are: PDF, DOC, XLS, TXT, RTF, PPT, TIF, JPG, PNG, XLSX, PPTX, and DOCX
No file may be greater than 25.00 MB in size.

After reviewing criteria, has the IEP Team determined that ESY Services are required for the provision of FAPE? * | Yes ∨

ESY Goals and Services

❖ **IEP Teams may designate all, some, but a <u>minimum of one service</u> that the child receives during the school year.**

❖ **IEP Teams must develop and document <u>at least one (1) ESY goal per identified critical skill</u>.**

❖ **Any service designated should be <u>directly related</u> to critical skill performance.**

ESY Goals	?
Denote ESY Goals Add New ESY Goals	

ESY Special Education Services	?
Denote ESY Special Education Service Add ESY Special Education Service	

ESY Related Services	?
Denote ESY Related Service Add ESY Related Service	

Developing ESY Goals & Services

ESY goals and services are similar to regular IEP goals and services, but only address the identified critical skill area(s).

ESY Goals

Del	Position	Goal*	Functional Area (s)*	Critical Skill*	Details
☐	6 of 1	Given upper case visual models, Gina will be able to identify all letters in the alphabet with 80% accuracy in 4 out of 5 trials.	Academic-Reading	Academics	Details

Denote ESY Goals **Add New ESY Goals**

ESY Special Education Services

Del	Service	Setting*	Amount of Time*	Provider*	Begin Date*	End Date*	Details
☐	Specialized Instruction	General Education	5 hr per wk	Not Yet Determined	06/14/2016	07/01/2016	Details

Denote ESY Special Education Service **Add ESY Special Education Service**

ESY Related Services

Del	Service	Setting*	Amount of Time*	Provider*	Begin Date*	End Date*	Details
☐	Behavioral Support Services	Outside General Education	120 min per mon	Not Yet Determined	06/14/2016	07/01/2016	Details

Denote ESY Related Service **Add ESY Related Service**

ESY Transportation

ESY-Related Transportation Eligibility

❖ **ESY transportation eligibility is determined using the ESY-Related Transportation Worksheet.**

❖ **The ESY Transportation worksheet must be uploaded to SEDS within five days of finalizing the IEP.**

Document the decision here

ESY-Related Transportation

ESY -- Related Transportation Eligibility Form

Create ESY Transportation Form Cover Sheet

⚠ No Documents have been generated for this student.

After completing the appropriate form, has the IEP team determined that the student is eligible for ESY related Special Education Transportation Services?*   ⬇

ℹ Users must complete and submit the ESY-related transportation request form in the Transportation Online Tool for Education (TOTE) in order for the student to receive transportation services.

Users must submit ESY-related transportation information in the Transportation Online Tool for Education (TOTE) in order for the student to receive transportation services.

ESY-Related Transportation Eligibility

❖ **The ESY-Related Transportation Worksheet aligns with the Special Education Transportation Policy.**

❖ **IEP Teams must complete this worksheet for every child who is found eligible for ESY services.**

❖ **This worksheet must be faxed into SEDS within five business days of the eligibility decision.**

❖ **If a child is found eligible for ESY-related transportation, the LEA must complete the student's information in TOTE.**

ESY-Related Transportation Worksheet 2013-2014

(1) Has an eligibility decision for special education transportation services (for the 2013-2014 school year) been made for the student using the state-level eligibility criteria established by the Special Education Transportation Policy (January 6, 2014)?

| CIRCLE ANSWER → | YES (Proceed to STEP 3) | NO (Proceed to STEP 2) |

(2) Review the considerations below and describe the student's needs as they relate to the factors to analyze the student's eligibility for special education transportation services:

Does the student have a medical condition that prevents the student from traveling safely without specialized transportation?

Does the student require structured transportation supports to travel safely to school?

Does the student need to access specialized programming outside the school of enrollment?

(3) Was the student (or would the student be) found eligible for special education transportation services during the school year using the state-level eligibility criteria established by the Special Education Transportation Policy (January 6, 2014)?

| CIRCLE ANSWER → | YES (Proceed to STEP 4A) | NO (Proceed to STEP 4B) |

(4) A. Are ESY services provided at the same school site as services are provided during the school year? (Circle Answer)

B. Are ESY services provided at the same school site as services are provided during the school year? (Circle Answer)

YES, ESY services are provided at the same site where services are provided during the school year. The student is likely eligible for ESY-related transportation services.

NO, ESY services are not provided at the same site where services are provided during the school year.

YES, ESY services are provided at the same site where services are provided during the school year. The student is likely not eligible for ESY-related transportation services.

NO, ESY services are not provided at the same site where services are provided during the school year.

(Proceed to STEP 6) (Proceed to STEP 5) (Proceed to STEP 6) (Proceed to STEP 5)

(5) Does the change in service site negatively impact the student's ability to (1) travel safely without supporting health or related services OR (2) access specialized programming?

| CIRCLE ANSWER → | YES Student is likely eligible for ESY-related transportation services. | NO Student is likely not eligible for ESY-related transportation services. |

(6) Does the IEP Team find that the student is eligible for ESY-related transportation services?

| CIRCLE ANSWER → | YES | NO |

(7) If YES, please justify the IEP Team's determination.

Additional Resources

Extended School Year (ESY) Services Policy
http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Extended%20School%20Year%20%28ESY%29%20Services%20Policy.pdf

Extended School Year (ESY) Services Frequently Asked Questions
http://osse.dc.gov/publication/extended-school-year-esy-services-frequently-asked-questions