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THE PATHWAY SCHOOL

Extended School Year Services in Pennsylvania



Purpose

This guide includes a recommended sequence of steps for IEP teams to follow, as well as an “ESY Checklist” to be used to gather information. Decisions regarding a student’s need for ESY services are intricately related to the progress that the student is making in his or her overall instructional program. Information about progress monitoring is available on the Pennsylvania Training and Technical Assistance Network (PaTTAN) the Pennsylvania Department of Education (PDE) website (www.education.pa.gov).

This document has been changed to provide guidance related to ESY eligibility for students at the Pathway School. Federal Regulations Part 300.106 /State Regulations Chapter 14.132 /State Regulations Chapter 711.44

§ 300.106 Extended school year services.

Extended school year services must be provided only if a child’s IEP Team determines, on an individual basis, in accordance with §§ 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.

Extended school year services means special education and related services that are provided to a child with a disability and meet the standards of the SEA (PDE).

§14.132 ESY Eligibility

- At each Individualized Education Program (IEP) meeting for a student with disabilities, IEP teams need to determine whether the student is eligible for ESY services and, if so, make subsequent determinations about the services to be provided.
- No single factor can be used to determine eligibility for ESY services. The student may be eligible by meeting just one of the criteria, but all must be considered by the IEP team.
- In considering whether a student is eligible for ESY services, the IEP team shall consider the following factors:
 - **Regression:** The student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors which occurs as a result of an interruption in educational programming
 - **Recoupment:** The student has the capacity to recover the skills in which regression occurred to a level demonstrated prior to the interruption of educational programming
 - **Maintain skills:** Difficulties with regression and recoupment make it unlikely that the student will maintain the skills.
 - **Crucial skills:** Skills or behaviors crucial for self-sufficiency and independence from caretakers.
 - **Withdrawal:** Successive interruptions result in withdrawal from the learning process.
 - **Severe Disability (Armstrong Group):**
Federal court decision in *Armstrong v. Kline* established the mandate in Pennsylvania for ESY programming for children who meet the court’s eligibility standard. The target group consists of those students with severe emotional disturbances, autism, moderate and severe levels of intellectual disability, or multiple disabilities. These students require expeditious determinations of eligibility for ESY.
The IEP review meeting must occur **no later than February 28** of each school year for students with severe disabilities.

Frequently Asked Questions

Which services will be provided during the Extended School Year?

The IEP team will determine which services (all services or a portion of the services) and how much of these services will be provided during the extended school year, based on the needs of each student.

Where will ESY be provided?

It can be provided at many different places. It is always provided in the least restrictive environment (LRE).

Is there a charge for ESY services to parents?

No.

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

If parents and the school do not agree about ESY services at the IEP meeting, a notice (NOREP/PWN) will be sent to the parents by the LEA. If parents still disagree, they can ask for another IEP meeting, request free mediation, or request a due process hearing.

Must a district provide ESY services to students who have been enrolled in private schools by the district in order to provide FAPE?

Yes, if the IEP team determines that ESY services are appropriate, services must be provided.

Must an LEA provide ESY services to parentally placed private school students?

No. For students who have been placed in private schools by their parents (settlement). There is no individual entitlement to services.

How is FAPE defined in reference to ESY services?

The IEP team must remember that the question is not whether FAPE is being provided in the ESY, but whether ESY services are necessary in order for the child to receive FAPE. There is no special definition of FAPE in reference to ESY.

Are related services and transportation to be considered along with special education services when determining need for ESY services?

Yes, transportation to and from The Pathway School is provided by the LEA and included in the ESY Related Services Section of the IEP. Other related services that the student receives during the regular school year would be discussed at the IEP meeting to determine whether or not these services would be necessary during ESY.

Is there more than one type of service delivery model that can be considered?

Yes. The IEP team must determine the appropriate service delivery model based on the needs of the individual student. However, LEAs are not required to create new programs.

How are ESY services to be described on the IEP?

ESY services need to be described in such a manner that all parties are clear about the services to be provided; it is necessary to document the goals and short-term objectives, including a description of the program, dates and anticipated duration, frequency and location of the educational program.

Must separate IEP goals, other than those from the regular school year be developed for ESY?

No. Typically, the goals and short-term objectives, addressed through ESY services, will be an extension of those on the current-year IEP. In some instances, however, new goals may be necessary to ensure that appropriate services are provided during the ESY period.

Are additional reports to parents on progress during the duration of services for ESY required?

Yes, The Pathway School does provide progress reports on ESY goals and services at the end of ESY.



LETTER TO PARENTS - 2020 EXTENDED SCHOOL YEAR (ESY)

Intent to Participate/Not Participate in the ESY Program at The Pathway School

Student Name: _____ Student's Sending School/District: _____

Dear Parent/Guardian:

Your child's IEP team has recommended that s/he receive special education and/or related services at The Pathway School during the extended school year (ESY) program. The purpose of ESY is to help your student **maintain the progress they have gained** during the school year on their IEP goals. During breaks from school such as summertime, some students have a severe regression in some skills or behaviors and are slower at recouping those skills or behaviors after returning to the educational environment.

Extended School Year services are provided for those special education students who meet the ESY eligibility criteria. The ESY program would allow your child the opportunity to maintain skills and/or behaviors gained on their IEP goals during the current school year which may be lost over an extended break. Attending ESY needs to be a commitment from the parent and the student that they will be present for most of the 30 day program. Please decide whether your child will be able to attend the ESY program in June 2020 and check your choice in the box below.

The ESY Program for your child is scheduled for: **July 6th – August 14th, 2020** (Monday through Friday)

- 1.) Please check one option below, sign the form, and date your signature.
- 2.) Return this form to your child's school on or before **February 7th, 2020**.

Please return this form to the school even if your child will not be attending ESY.

_____ (✓ **Check**) My child will attend the ESY program in July 2020.

_____ (✓ **Check**) My child will not be able to attend the ESY program in July 2020.

Parent Signature: _____ Date: _____

Please provide the information below if your child will be attending ESY:

Summer Home Address/City _____

Parent/Guardian _____ (Telephone#) _____

Parent/Guardian _____ (Telephone#) _____