

What Are ESY Services?

Special education and related services provided to students with disabilities beyond the regular 180-day school year are called **extended school year (ESY) services**. Under the Individuals with Disabilities Education Act (IDEA), school districts must provide ESY services if the student requires those services in order to receive a free appropriate public education. The most common reason why a student receives ESY services is because it is feared that the student will regress (or lose progress) in critical life skills during time off from school. **School districts are not required to provide ESY services to all students with disabilities—only to those who require ESY services.**

How Is the ESY Decision Made?

Every student with disabilities has an individual educational plan (IEP) or family support plan (FSP) that lists that student's goals and objectives and the special education and related services that will be provided to help the student succeed. The IEP or FSP is written by a team that includes the student's parents, teachers, and other professionals. The IEP or FSP team decides whether or not the student needs ESY services in order to receive a free appropriate public education. It is important to remember that the IEP or FSP team may decide that the student *does not* need ESY services—in which case, ESY services will not be provided.

What Is the Decision Based On?

The IEP or FSP team may look at assessment results, parents' and teachers' observations, the student's performance after previous breaks from school, and other information to answer questions such as those listed on the next panel.

Thinking about ESY

- *Will the student regress substantially in a critical life skill related to his or her IEP or FSP goals if ESY services are not provided?*
- *Is the student at a crucial stage in mastering a critical life skill, when a lapse in services would substantially harm the child's chances of learning that skill?*
- *Is the nature or severity of the student's disability such that the student will not receive a reasonable level of benefit from his or her educational program during the regular school year if ESY services are not provided?*
- *Are there extenuating circumstances that make it unlikely that the student will receive a free appropriate public education without ESY services?*

The decision cannot be based only on which disability the student has, although students who have severe disabilities may be more likely to need ESY services.

Which Services Will Be Provided?

The IEP or FSP team may decide that the student will receive all the services he or she receives during the regular school year as ESY services. The team may decide that the student will receive only one particular service. Again, this decision will be made based on the critical life needs of the student. The IEP or FSP must indicate the type, amount, and duration of any ESY services the student will receive.

Where Will ESY Services Be Provided?

ESY services may be provided at school, at a job site, or in any location the IEP or FSP team determines to be most appropriate. As always, the IEP or FSP team will place the child in the least restrictive environment (LRE) that is appropriate for the child. However, if the district does not offer programs for nondisabled students during the summer break, the district does not have to create a program for nondisabled students in order to meet LRE requirements.

Is There a Charge for ESY Services?

No. ESY services are free for students with disabilities whose IEP or FSP team determines they need those services. This includes special transportation services, if the IEP or FSP team determines special transportation is a needed service.

What If Parents Don't Agree with the IEP or FSP Team's Decision?

If parents ask for ESY services but the IEP or FSP team decides not to provide the services, the parents will receive a notice that explains the decision. If the parents disagree with the decision, they may ask for another IEP or FSP meeting, discuss the problem with the teacher or principal, or talk to the exceptional student education administrator in the school district office. Parents also have the right to request free mediation services or a due process hearing, or both. For more information, see the "Summary of Procedural Safeguards for Students with Disabilities," which is provided to all parents of students with disabilities before IEP or FSP meetings. It is also available from the Clearinghouse Information Center at 850-488-1879; fax: 850-487-2679; email: cicbiscs@mail.doe.state.fl.us.

Is ESY the Same as Summer School?

No. ESY services are for individual students with disabilities who need those services. The purpose of summer school is to help nondisabled and disabled students who are having trouble meeting the Sunshine State Standards and being promoted to the next grade. However, some school districts do choose to provide ESY services as part of a summer school program. Also, some students with disabilities qualify for ESY services *and* for the summer school.

ESY Services and Summer School— What's the Difference?

Summer School

Students, including those with disabilities, attend if they meet the criteria established by the school district.

The focus of instruction is on helping students meet the Sunshine State Standards for their grade level.

The school district determines the length of summer school sessions.

ESY Services

A student with a disability receives ESY services if the IEP or FSP team finds that the student needs specific services beyond the regular 180-day school year.

ESY services are determined for each student by the IEP or FSP team and may be different than those services provided during the regular school year.

The IEP or FSP team determines initiation, duration, and frequency of ESY services.

Examples of Students Who May Require ESY Services

- *A 20-year-old student recently got her first job. A job coach is helping her learn the skills she needs to keep the job. If the job coaching services ended during the summer, the student would likely lose the job, which may hurt her chances of achieving her goals for adult life. The IEP team may decide that job coaching needs to be offered as an ESY service.*
- *A student has benefited from an intensive behavior intervention system that has allowed him to improve his behavior enough to be educated in a regular classroom. When behavior supports were discontinued during previous school breaks, the student's behavior regressed so much that he had to be placed in a more restrictive environment. The IEP team may decide that the student needs ESY services focused on maintaining his behavior skills.*
- *A student has been receiving occupational and physical therapy that has allowed her to learn critical daily living skills. If the therapies were suspended, she might regress and it might take a long time for her to reach her previous level of independence. The IEP team may decide that the student needs to receive occupational therapy as an ESY service, but that she will not regress significantly without the physical therapy, so that service will not be provided during the summer.*



Florida Department of Education
Charlie Crist, Commissioner
www.flrn.edu/doe
ESE 311372

