



IEP

Extended School Year Services (ESY)

The school system must provide Extended School Year (ESY) services when such services are necessary to permit a student who is in special education to receive some benefit from his/her educational program during the regular school year. While there is no requirement that ESY be made a part of every disabled student's IEP, even if there would be an educational benefit, there is an obligation for the IEP Team to determine each student's eligibility for ESY at the annual review meeting based on any one, or a combination, of the following criteria:

A. Regression/Recoupment

The IEP Team determines whether, without ESY services, there is a likelihood of substantial regression of critical life skills* caused by the school break and a failure to recover those lost skills in a reasonable time following the school break.

B. Degree of Progress

The IEP Team reviews the student's progress towards IEP objectives on critical life skills and determines whether, without ESY services, the student's degree of progress toward these objectives will prevent the student from receiving benefit from his/her educational program during the regular school year.

C. Emerging Skills/Breakthrough Opportunities

The IEP Team reviews all IEP objectives, targeting critical life skills to determine whether any of these skills are at a breakthrough point. When critical life skills are at this point, the IEP Team determines whether the interruption of instruction on these objectives caused by the school break is likely to prevent the student from receiving some benefit from his/her educational program during the regular school year without ESY services.

D. Interfering Behavior(s)

The IEP Team determines whether any interfering behavior(s), such as stereotypic, ritualistic, aggressive, or self-injurious behavior(s) targeted by IEP objectives have prevented the student from receiving some benefit from his/her educational program during the next school year without ESY services.

E. Nature and/or Severity of the Disability

The IEP Team determines whether, without ESY services, the nature and/or severity of the student's disability is likely to prevent the student from receiving some benefit from his/her educational program during the regular school year.

F. Special Circumstances

The IEP Team determines whether, without ESY services, there are any special circumstances that will prevent the student from receiving some benefit from his/her educational program during the regular school year.

**Criteria established by the Federal District Court of Maryland in Reusch v Fountain (1994).
A critical life skill is any skill determined by the IEP Team to be critical to the student's overall educational progress.*

CITATION: 34 CFR Assistance to States for the Education of Children with Disabilities, Sec.300.106

RESOURCES

- Extended School Year Services, Technical Assistance Bulletin 5 & Resource Information
Maryland State Department of Education
<http://www.marylandpublicschools.org/NR/rdonlyres/5F4F5041-02EE-4F3A-B495-5E4B3C850D3E/31567/APPRVDTA5REVISEDESYJULY2003.pdf>