

You First Podcast - Episode 15: Extended School Year

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Announcer: Welcome to "You First," the Disability Rights Florida podcast.

Keith Casebonne: I'm Keith Casebonne. Thank you so much for listening to this episode of You First.

Today's topic is "Extended School Year," which I must admit sounds like something I would not have been happy about when I was school age. In fact, Extended School Year is actually a desirable and necessary element to ensure that a student with a disability is receiving a proper education.

To tell us more about Extended School Year, we have Disability Rights Florida's own Nately Alvarez and Lauren Eversole. Thank you both for being here today.

Nately Alvarez: Hi, Keith. Thank you for having us.

Keith: We'll start off just by asking what is Extended School Year?

Nately: Extended School Year is for students with disabilities who receive services through an already-established IEP. It's special education and related services that are provided to a child throughout the school year. It's necessary to ensure that students receive a Free Appropriate Public Education, which we consider as FAPE.

You will often hear ESY but that stands for Extended School Year Services. One of the primary purposes of ESY is to maintain or to ensure that the student continues to receive and have access to FAPE, continue to be on the standard school day so after school hours, over long periods or breaks, and in addition to over the summer. However, there are things that ESY is not.

That's important to know the difference between what is ESY and what would not be something that can be considered ESY. ESY is not a summer-school program. It's not also a reading camp, or some districts call it a summer reading academy because these generic established programs are also offered to general-education students.

ESY is only for those who have a disability receiving services through an IEP. If a school district's like, "Oh. Well, we have this summer reading academy," one question to filter through whether or not that is truly an ESY program is, "Is this offered to all of your students within the district or only those ESE students?"

That's something important to identify because if it is offered to all, then no. That would not be considered ESY.

Keith: Interesting. Why is ESY offered to students who are in special education?

Nately: Again, it's so that it can ensure that they have access to FAPE, so that Free Appropriate Public Education. It's no cost to the parent. It's completely covered. It's so that they can continue to make growth towards their IEP goals and whatever skills that they are trying to build on.

Keith: I see. When should a parent ask about receiving these services?

Nately: The minimum? Every school team or IEP team should discuss this at least, at a minimum again, once a year, typically around the springtime of the school year. After Christmas break, roughly between the months of January through I would say no later than March to be able to address all of the questions in terms of progress that the student has made during the school year.

Looking at data to make sure whether or not there's any regression, recoupment, emerging skill. Later on within our podcast, we'll get into what are the criteria to look at to determine eligibility.

Keith: When a parent asks this, is it in conjunction with the regular IEP meeting? Is this a separate meeting?

Nately: Typically, it is within an IEP meeting. It'll be a component or a conversation to be had within an IEP team meeting because it is an IEP team decision.

Keith: Where do these ESY services take place?

Nately: There's a variety of places. One thing to keep in mind is that ESY is a tailored program for your child depending on their unique needs. It could be typically the standard. When we say standard is because this is typically what school districts offer when the student is found eligible for ESY.

It'll look something like from June 1st through July 1st four weeks of services for four hours a day. Although that may be enough for some students, that should not be the standard and the only thing that is offered to the student because, again, it's depending on their need. They may need a longer period of time, so June 1st through August 1st or whatever.

Again, that would be the IEP team's decision to look at the data and look at the student's individual need to see what they would need to maintain access to FAPE.

Keith: Who's eligible for ESY?

Nately: ESY are for those students with disabilities who have an IEP.

Keith: That simple?

Nately: Yes. That is that simple.

Keith: As long as you have an IEP, so 504 plans not necessarily or not at all? You wouldn't be able to...

Nately: No, 504 plan you would not be eligible for an IEP. Correct. It's not to say that if you have an IEP, you're automatically eligible for ESY because there is criteria you have to meet.

The basic criteria in order to get into the discussion whether or not you're going to meet eligibility, you at the very least have to have an IEP.

Keith: I see, OK.

Nately: Now when determining eligibility for Extended School Year Services, or as we refer to it as ESY, not only is it for a student who has an IEP, but then a part of the conversation should be the seven outlined listed criteria that DOE has pretty much selected in the process of meeting criteria.

The seven are regression and recruitment, critical point of instruction, emerging skill, nature of severity of the disability, any interfering behaviors, rate of progress, or special circumstance. For example, a transition from school to work. Now the student only needs to meet one of them, not all of them.

To get to assessing these criteria, you would then use anecdotal data, formal evaluations, whatever has been gathered throughout the school year.

Keith: What goes into creating an ESY program for a student with a disability?

Lauren Eversole: This is Lauren. An ESY program should be appropriately tailored to meet the needs of the individual child. The ESY team should consider the student's needs. The ESY team should look at the present levels of performance, student's goals, the progress towards those goals, and the services necessary beyond the regular school year to provide a Free and Appropriate Public Education.

Keith: How long do the ESY services last?

Lauren: ESY is based on the individual need of the student. The IEP team is responsible for determining the initiation, duration, and frequency of ESY services. The number of weeks, days per week, and minutes per day should be based on the student's individual need.

Keith: Are there any common misconceptions that parents have about ESY?

Lauren: Yes, there are several that parents have and we encounter [laughs] at some of our meetings. For instance, one is that ESY is for students with significant cognitive disabilities. As Nately said before, ESY is for any student who has an IEP. ESY is not determined by a student's ESE eligibility, so it's not determined by the student's label.

As long as the ESY services are necessary in order to provide FAPE for that child and the child meets one of the seven listed DOE criteria, then a student can be eligible for ESY. Also, one that we hear often is that ESY is for students who show regression and have issues with recoupment.

As we said before, the Florida Department of Education has seven listed criteria that may qualify a student for ESY. It's not just based on whether or not a student is showing regression or has issues with recoupment. Also, another misconception is that ESY cannot be determined until the district has determined what services and staff will be available during ESY.

The district should be determining what services and staff it will need based on the individual student needs discussed by the IEP team. Another misconception, a student cannot participate in course recovery or summer school and receive ESY services. Many times, people confuse summer school and ESY, but they are completely different.

For instance, a student can participate in summer school to make up a course and also receive ESY services.

Keith: I see. Can you give our listeners some examples of other ESY programs and services?

Lauren: Sure. Let's say you have a student who is demonstrating regression in progress on IEP goals during breaks from school, including long weekends, Thanksgiving, winter break, spring break, and summer break. After receiving ESY services during the summer and during the school year, the student is showing significant progress on all IEP goals.

Let's say a student's reading, writing, and math skills are at a critical emerging level, and the student would require a strict routine and continuous exposure to material to retain information and show academic growth.

Let's say in this case, the student requires 90 minutes of ESY weekly while school is in session in order to receive FAPE, or for instance, a student may require 120 minutes of ESY weekly during summer break in order to receive FAPE. That actually speaks to another misconception that ESY is just over the summer.

It can be during breaks or it can be during the school year, above and beyond the traditional school day. Another example. Let's say the team completed the Determination of Need worksheet and reviewed academic data. Let's say the student needs many reminders and redirection at home and at school.

Based on the need for academic instruction, a teacher proposed the student attend an existing remediation summer camp with the second-grade curriculum. Let's say the parent of that child was concerned that the student would shut down in this environment. As Nately was discussing before, this sounds like a program that's offered to all gen-ed students.

Let's say this program is offered to an ESE student, but it wasn't the right setting, environment, or an instruction tailored to this individual student's needs. Another option that the team would discuss is looking at providing the student with academic instruction in an environment that would encourage continued academic growth.

Instead of attending this existing remediation summer camp, let's say, the student will receive instruction two days per week for two-and-a-half hours of services.

Nately: Now you can merge the two. Let's say we have a student who has or is struggling in the area of reading. However, even though this is already an established reading camp over the summer but has really good remediation in this and it's targeting the skill that the student needs, that can also be a component of their ESY.

Keith: Even though it exists. It's something...

Nately: Even though it exists.

Keith: ...outside for other students.

Nately: Absolutely. It's not to say that, "Oh, that's offered also to gen-ed." No, can't absolutely do that. You can. It would just have to be a component of to address, let's say, the reading. Let's say the student also has difficulties in math, then that's a component you would tailor.

After this student attends the summer reading camp, they stay for an extra hour/an hour-and-a-half to receive their math instruction or math remediation to create a well-rounded ESY program for the student. Now, DOE has or the Florida Department of Education has on their website...You can find the ESY checklist.

We encourage always parents to go on the website and search for it so that they can see what the school or the team should be looking at when determining. Even when we go to IEP meetings, we encourage the team to have that checklist present so that we can go through each individual criteria, have a discussion, and really hone in on what eligibility criteria they meet.

Lauren: If there is a yes to any one of the eligibility criteria, then the student is eligible for ESY. You need one yes.

Keith: That's a very important thing for parents to remember.

Lauren: I was going to provide another example.

Keith: Oh, please.

Lauren: We've seen a situation with the district where, let's say, they have a predetermined amount of ESY services. For instance, there's one district that we work with that has a two-week break in the middle of its ESY services, but then that student shows regression over breaks.

We could ask for the students to receive the ESY services or instruction during that two-week break to cover that to prevent the regression.

Keith: If there's parents listening right now that have children in special education and they're having issues or questions about getting ESY services for their child, what can they do?

Nately: Again, make sure that at the very least, they're talking about ESY at an IEP meeting at least once a year. It's typically in the spring, so January to March roughly. A lot of people have their meetings after spring break to also use that break for data. If you have any questions, obviously contact our agency, Disability Rights Florida.

We are always eager to help and provide information as to how the parents can best advocate for their child during these IEP meetings. Also, read through your child's IEP. Make sure that you are aware of their IEP so that when you are at this meeting, you can also have a meaningful conversation in terms of progress, in terms of what should we be working on during this ESY period.

The parent is a meaningful member. They should own their space in that meeting because they have every right to be a participant.

Lauren: I was just going to add another thing. It's very important to ask for data. Sometimes, that's glossed over in meetings. Special education is very data-driven.

Don't be afraid to ask for data, to ask for assessments, to determine the student's present level of performance to show the progress that the student is making, what needs to be added to the IEP, what service or what instruction needs to be added to the IEP to ensure progress.

Nately: Correct. Now to piggy-back also what Lauren said in terms of what services to be provided, it is important to know that although, yes, either they should be working on the IEP goals, related services are also a vital component.

If the child has goals in the area of communication but they also have speech or language goals, that therapy is important to be able to support the child achieve those goals. Also, look at related services. Make sure that the related services are discussed because that's a huge component of also being able to access FAPE for the student.

Keith: Good advice. Good information. Well, Lauren and Nately, thank you so much for being guests today on You First. This is lots of great information for parents out there.

Nately: Thank you so much for having us. It was fun.

Lauren: Thank you. Yes.

Keith: You're welcome. To learn more about Extended School Year and other special-education topics, you can visit www.disabilityrightsflorida.org/education. Also, listen to our previous podcast on special education for more information, tips, and resources to help your child receive special-education services and review his IEP, etc.

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