

Intradistrict Communication

DATE: January 18, 2018

TO: Principals
Special Education Staff

Time Sensitive Please Read Immediately

FROM: Laura Finlinson, Administrator of Curriculum/Staff Development & Special Programs
Lisa Robinson, Director of Special Education
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SUBJECT: Extended School Year (ESY) Qualification Procedures and Timelines

IDEA directs us to consider all students for Extended School Year (ESY) services. However, ESY services should only be provided if the IEP team determines that it is necessary for the provision of a free, appropriate public education (FAPE). A student is eligible for Extended School Year (ESY) services when the IEP team determines that, without ESY services, the educational program would be of little or no benefit to the child due to the lack of services during the break in the current school year and the next school year. The purpose of ESY is to **maintain** current skills, **not** to teach new skills.

Attached are the guidelines for determining a student's eligibility for Extended School Year Services (ESY). Please note that the process has been developed to provide greater clarification and reflect current case law, IDEA 2004 and current Utah Administrative Board Rule requirements. *All guidelines and forms have been updated as of January, 2018 to reflect current requirements. Please review these documents carefully.*

Please note that all ESY decisions must be accomplished in sufficient time to allow either the parent or the District to exhaust administrative remedies prior to the beginning of the ESY program should there not be agreement regarding a student's eligibility or program. Parents must be informed of their rights and of procedures through which they may challenge the decision of the IEP team. This includes both the written recommendation of eligibility/ineligibility and the scheduling of the IEP where services are determined. Therefore, **adherence to outlined timelines is essential to ensure that parents are afforded their rights. ESY packets should be submitted by March 23, 2018, in order to facilitate this process.**

Parents who choose not to send their children to ESY even though they are eligible, are being asked to indicate their non-participation at the time eligibility is discussed with them. This is not a binding decision on the part of the parent, but is necessary in order for the District to have an accurate count of how many students will be accessing ESY services. This will also enable us to staff the program appropriately.

Please review the attached Extended School Year (ESY) Guidelines carefully. IEP teams (including the parents) must consider **all** students for ESY services each year at the annual IEP. **In order to afford parents the opportunity to exercise their due process rights, the following process is to be followed beginning January, 2018 to March 23, 2018:**

Beginning immediately (January 2018),

- 1) Review all IEPs (or run a Goalview report) to identify the ESY eligibility status of all students.
- 2) If the current IEP reflects that the student is "**not eligible**" and the available data supports that

decision and the parent has been involved in making that determination, the team does not need to do anything at this time.

- 3) For all students who have been determined to be “**eligible**” for ESY or whose eligibility is “**to be determined later**”, convene an IEP team meeting to review the following:
- As an IEP team, review multiple data sources to determine if there are *retrospective* or *predictive* factors that would make the student eligible for ESY services as outlined in pages 1-3 of the *Jordan School District Extended School Year Packet*.
 - For students who are eligible for ESY services, complete and submit all 6 pages of the “ESY Packet”, along with all other required information to the appropriate ESY coordinator by **March 23, 2018**.
 - For students who are not eligible, complete pages 1-3 of the “ESY packet” including the “Notice of Eligibility” form and check the box that states that the student is not eligible. Have the IEP team sign the form and place it in the student’s special education file.

Please note that an ESY packet must be submitted for each student who has been deemed eligible to receive services. Also, note that there must be documentation in each student’s file of their eligibility determination (i.e., the student’s eligibility status must be checked on the IEP and if the student “is eligible” or the status is “to be determined later” the “Prior Notice for Extended School Year (ESY)” form must be placed in the special education file). At the end of the ESY services, all packets will be returned to the teacher and **should be placed in the student’s special education file** to provide documentation that the services were delivered.

Summer 2018 Site-Based Program Dates

Extended School Year (ESY) services are individually determined. Students who require a site-based program will be assigned to a location where they can receive some or all of their services based on the following summer schedule, **unless the IEP team has determined that the student’s skills cannot be maintained at a level that provides FAPE during the scheduled time periods**. District staff will work with individual school teams for these cases.

Please note that the schedule is intended to provide coverage throughout the summer months and to allow for greater maintenance of skills. It is also hoped that it will allow staff to schedule much needed vacation time and still maintain student progress in eligible areas. Students will attend for three hours in the morning based on the schedule outlined below:

June 2018						
Su	Mo	Tu	We	Th	Fr	Sa
					1	3
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June 19-21

July 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July 10-12, 17-19

August 2018						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

July 31-Aug 2

ESY Packet Information -- Due: March 23, 2018

The IEP team must submit the following information for all students who are eligible for ESY services. Please note that **ESY packets are due no later than the end of the day on March 23, 2018**. The following information must be submitted in the packet:

1. *Extended School Year (ESY) Services Packet Checklist*
2. *Jordan School District ESY Services Plan*
(6 pages total – with additional copies of page 4 as needed)
 - a. Page 1 – Notice of Eligibility

- b. Page 2 – Eligibility Data – Step 1
 - c. Page 3 – Eligibility Data – Step 2
 - d. Page 4 – Goals (multiple copies included as needed)
 - e. Page 5 – Student Information
 - f. Page 6 – Summer Contact Information – completed with the parents
3. A copy of the student’s current IEP (if a new IEP is developed before ESY starts, re-submit a copy of newest IEP)
 4. A sample of a completed data sheet for any goals indicated
 5. A blank data sheet for each goal indicated
 6. A copy of the student’s current *Health Care Plan* (if applicable)
 7. A copy of the student’s current *Behavior Intervention Plan – BIP* (if applicable)
 8. Any materials or tools needed to implement the ESY goal(s)

ESY packet information should be submitted to the following ESY coordinators:

- Support Classes/Boundary School Students (all classifications):
 Submit to **Kristin Norris** at the District Office (801) 567-8372
- Kauri Sue Hamilton Students:
 Submit to **Teri Griffiths** at Kauri Sue Hamilton School (801) 567-8511
- River’s Edge School Students:
 Submit to **Don Link** at River’s Edge School (801) 565-7584
- Preschool Students:
 Submit to **Debbie Ballard** at Kauri Sue Hamilton School CDC (801) 567-8510

School teams will be contacted by the appropriate ESY coordinator **no later than April 18, 2018** to discuss the specifics of ESY services for their eligible student(s). Parents must be notified of their right to exhaust their administrative remedies if they do not agree with the ESY determinations of the IEP team.

If you are interested in working with the ESY program, applications are currently being accepted (application attached for current employees). Please contact the ESY coordinator of the site at which you would like to be assigned. The number of staff hired will be based on the number of eligible students who will be participating in the program. No staffing decisions will be made, until the programmatic needs and the numbers of participating students are determined. Therefore, we appreciate your prompt attention to this important service for your students. **If you have questions, please contact the appropriate ESY coordinator as identified above.**

PLEASE NOTE: The *Jordan School District Prior Notice for Extended School Year (ESY) Services Plan* must be completed for all students deemed “**eligible**” for services and/or for whom the IEP team had checked that ESY services were “**to be determined**” at a later time. If on the IEP, ESY services were marked “**to be determined later**”, an IEP amendment **MUST** be completed to indicate if the student is eligible or not.

The *Jordan School District Extended School year Packet* **should be placed in the student’s Special Education file to provide documentation that ESY services were considered and delivered.**

THANK YOU for all you do to serve students with special education needs in Jordan District! If you have questions, please contact the Teacher Specialist assigned to your school.