



## CHICAGO PUBLIC SCHOOLS PROCEDURES AND GUIDELINES - EXTENDED SCHOOL YEAR (ESY) (IEP Section 14)

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### PURPOSE

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The Extended School Year (ESY) services provide special education and related services beyond the Chicago Public Schools' normal school year to students with disabilities who need such services to receive a free appropriate public education ("FAPE"). The primary purpose of ESY is to prevent significant skill loss caused by an interruption of special education and/or related services during extended periods when school is not in session.

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### CONTENTS

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This packet includes the following documentation:

- Procedures – Step-by-step detail of how ESY services are determined throughout the District
- Roles and Responsibilities – Breakdown of roles and responsibilities for staff involved in the process of determining a student's need for ESY services
- Eligibility Criteria – Criteria to consider when determining whether a student needs ESY services to receive FAPE



## PROCEDURES

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### PRIOR TO IEP MEETING

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1. Qualitative and quantitative data<sup>1</sup> is collected, as detailed in the Eligibility Criteria, by the student's teacher(s) and/or related service provider(s). The data is documented in the *ESY Data Collection* form in SSM.

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### AT THE IEP MEETING

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2. The ESY section of the IEP will ask the following question: Does IEP team contemplate ESY services may be needed for the student?
  - a. If the IEP team answers "No" based on qualitative and quantitative data and other information, the IEP will read:  
"[Student] is not recommended for ESY services."  
**NOTE:** If qualitative and quantitative data and other information are subsequently collected and reflect a possible need for ESY, the IEP team should reconvene prior to the end of the school year to review the need for ESY services.
  - b. If the IEP team answers "Yes" the following question will be asked: Does the IEP Team have the qualitative and quantitative data to determine whether the student requires ESY services?
    - i. If the IEP team answers "No", the IEP will read:  
"The ESY decision cannot be determined until qualitative and quantitative data has been collected. Once the data has been collected, the IEP Team should be reconvened to discuss ESY services. If the IEP team answers "Yes", proceed to step 3.
3. The ESY grid auto populates with the goals from the IEP. The IEP team should then determine which of these goals need to be addressed during the ESY period using the Eligibility Criteria to facilitate the discussion. The IEP team should also determine the frequency (minutes per week) and duration of the ESY services.
4. The student's parent/guardian must be asked to accept or decline ESY services by selecting "Yes" or "No" to the question: "Does the parent accept ESY services and commit to sending [Student] to ESY?"
  - a. If the parent/guardian accepts ESY services by selecting "Yes", the IEP will read:

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<sup>1</sup> Qualitative and quantitative data has different meanings depending on which criteria the IEP team is contemplating qualifying the student for ESY services.

- Qualitative and quantitative data in the context of regression/recoupment means data demonstrating the student's level of mastery of a specific skill/goal being contemplated for ESY right before the summer, winter, and/or spring break; the student's level of mastery when he/she returns from break; and progress monitoring levels in that specific skill/goal over a period of time, such as the first 30 school days of the new school year, to demonstrate recoupment.
- Qualitative and quantitative data for skills at a critical stage of development means data identifying the specific skill/goal being contemplated for ESY, the level of mastery at the time of the IEP meeting, and data demonstrating why the summer break will cause a substantial disruption to the student's mastery of the specific skill/goal.
- Qualitative and quantitative data for special circumstances describes the amount of school time missed, such as 10 or more school days, the cause of the absences, and why special education and/or related services could not be provided during the absences.



“[Student] is eligible for ESY services. If [Student] meets his/her goal/benchmarks on the June IEP Report Card, the goal will not be addressed during ESY. If that is the only goal to be addressed during ESY, [Student] is no longer eligible for ESY.”

- b. If the student’s parent/guardian declines ESY services by selecting “No”, the IEP will read: “[Student] is eligible for ESY services, but parent does not accept the services at this time.”

**NOTE:** The local school district representative prints the *Parent Non-Acceptance of IEP Services Letter*, the parent/guardian is asked to sign it, and the letter is uploaded into SSM.

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### POST-IEP MEETING

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5. If the parent/guardian provides notice (oral or written) to the local school district representative after the IEP meeting that he/she has changed his/her mind regarding declining ESY services, the IEP should be revised to reflect the parent/guardian’s new decision to accept ESY services following the procedural safeguards for IEP revision meetings.
6. A report listing all students determined to be ESY eligible by the end of the 3<sup>rd</sup> quarter is generated by SSM for the local school district representative’s review.
7. The local school district representative reviews the report, checking for students who have completed and/or are making expected progress on an ESY goal(s).

**NOTE:** If the only goal(s) to be addressed during ESY has been met, the local school district representative notifies the IEP team, including the parent(s)/guardian(s), and provides the data or other documentation that shows goal mastery. If the student masters the ESY goals, the local school district representative reconvenes the IEP team as soon as possible for discussion.
8. If the student is eligible and the parent/guardian accepted ESY services at the IEP meeting, the local school district representative mails the *ESY Parental Acceptance Letter* to the student’s home.
  - a. The response is returned and uploaded into SSM and attached to the student’s SSM documents by June 1st. If the parent/guardian responds “yes” the local school district representative indicates in the student’s profile page that he/she will be attending for ESY.
  - b. The local school district representative indicates the parent’s acceptance response in SSM.



## ROLES AND RESPONSIBILITIES

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### SCHOOL MEMBERS OF THE IEP TEAM

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*General education teacher(s), special education teacher(s), Related Service Provider(s), local school district representative*

- Collect qualitative and quantitative data in the *ESY Data Collection* form, as detailed in the Eligibility Criteria.
- Ensure qualitative and quantitative data entered in *ESY Data Collection* form is accurate and appropriate.
- Participate in the IEP team's determination of the student's eligibility for ESY services for each IEP goal using the Eligibility Criteria.

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### LOCAL SCHOOL DISTRICT REPRESENTATIVE

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- Review SSM-generated report of ESY-eligible students and contact the IEP team, including the parent(s)/guardian(s), if student has met goals to be worked on during ESY to schedule a meeting to determine whether the student still requires ESY services.
- If the student is eligible and the parent/guardian accepted ESY services at the IEP meeting, send the *ESY Parental Acceptance Letter* by June 1st. Document response in SSM.

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### PARENT(S)/GUARDIAN(S)

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- Participate in the IEP team's determination of the student's eligibility for ESY services for each IEP goal using the Eligibility Criteria.
- If the IEP team determines that the student is eligible for ESY services, accept or decline ESY services at the IEP meeting. If ESY services are declined, complete the *Parent Non-Acceptance of IEP Services Letter*.
- If the student is eligible for ESY services and services were accepted at the IEP meeting, complete and return the *ESY Parental Acceptance Letter*.
- If the local school district representative provides notice of mastery of the goal(s) to be addressed during ESY before the last day of school, participate in IEP meeting to discuss whether the student still needs ESY services.



## ELIGIBILITY CRITERIA

All students with disabilities must be considered for ESY services on an annual basis. An extended school year may be necessary when a student is likely to experience regression in areas of learning crucial to his/her attainment of self-sufficiency and independence during scheduled breaks in instruction.

An IEP team may decide that a student with disabilities needs ESY services to receive FAPE only if documentation shows that **ONE OR MORE** of the following criteria are met:

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### CRITERIA 1: REGRESSION/RECOUPMENT

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The student compared to students without disabilities:

- Loses knowledge/skills related to specific IEP goals following summer, winter and/or spring break or other breaks in instruction; AND
- Requires more time to recoup the knowledge/skills relevant to the measured IEP goals.

**Note:** “Regression” is defined as the amount of loss during a scheduled break in instruction of learned skill or acquired knowledge which has been specified in a student’s IEP goals. “Recoupment” is the amount of time required to recoup those lost skills when school instruction resumes. All students typically spend time at the beginning of each school year for review and re-teaching of previously learned skills. Longstanding ISBE guidance suggests that review and re-teaching should not extend beyond the first 30 school days of a school year.

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### CRITERIA 2: SKILLS IN CRITICAL STAGE OF DEVELOPMENT

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When a student is in a critical stage of developing a skill that will increase his/her academic or functional performance or self-sufficiency, and the skill is not completely acquired and mastered at the end of the school year, it is likely that the emerging skill will be lost due to the interruption of instructional services, particularly during the summer break.

The special education teacher(s) and related service provider(s) collect qualitative and quantitative data for each specific skill/goal that is relevant to the student’s potential need for ESY. The data must show that **EACH** of the following are met:

- A. The specific skill/goal will enable the student to increase his/her academic or functional performance or self-sufficiency. Examples of such skills include but are not limited to:
  - Acquiring the ability to communicate, e.g. functional sign, communication device, Braille;
  - Independent use of the toilet;
  - Independence in feeding;
  - Independence in mobility;
  - Academic;
  - Behavior; or
  - Other;
- B. The specific skill/goal is at a critical stage of development as documented by progress monitoring data; and
- C. A break in services will result in a loss of the window of opportunity for the specific skill/goal mastery as documented by progress monitoring data.



**NOTE:** The IEP provides notice that if the student has mastered a goal to be addressed during ESY related to the acquisition of a skill that was in a critical stage of development prior to the end of the school year, ESY is no longer required for that goal. If the student has met all goals related to a skill(s) at the critical stage of development, *the local school district representative should schedule an IEP meeting to determine whether the student still requires ESY services.*

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### **CRITERIA 3: SPECIAL CIRCUMSTANCES**

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Special circumstances are unique situations involving or affecting a student that resulted in a substantial disruption in the delivery of special education and related services and are considered by his/her IEP team on a case-by-case basis. Special circumstances include, but are not limited to, the student experienced extended absences from school due to a mental or physical condition and was not able to participate in home/hospital educational services or transitions due to homelessness or guardianship changes that impact the student's education.

The special education teacher(s) and related service provider(s) collect qualitative and quantitative data showing the existence of a special circumstance when **ONE** of the following are met:

- A. During the school year, the student's mental or physical condition resulted in extended absences from school without home/hospital services;
- B. The student experienced a substantial disruption to the delivery of special education and/or related services, e.g., due to transitions because of homelessness or guardianship changes; or
- C. A due process hearing decision, or resolution session, mediation, or other settlement agreement, calls for the student to receive ESY services.

When **ALL** qualitative and quantitative data collection is not completed because of the student's absence, teacher absence, etc., the IEP team shall document the reasons why all the required data was not collected, and review other relevant information (e.g. progress monitoring data, staff or parent/guardian input) to make the ESY determination.



## ESY Frequently Asked Questions

1. **How and where are school teams tracking ESY data?**

A summary of qualitative and quantitative data required for ESY eligibility will need to be entered into the *ESY Data Collection* form on SSM. Teachers who use their own progress monitoring forms to collect qualitative and quantitative data as they progress monitor IEP goals, are able to upload this information into SSM.

2. **If an out-of-District student transfers in with ESY indicated on his/her IEP, how should the IEP team proceed?**

As in all cases, the IEP team must follow the process outlined in the ODLSS Procedural Manual – Students with Disabilities Transferring from Other School Districts section. The District members of the IEP team at the new school should collect the necessary qualitative and quantitative data to determine whether the ESY eligibility determination remains appropriate pursuant to the Eligibility Criteria above. If necessary, an IEP meeting should be convened to review the ESY decision of the prior school district.

3. **How will families be notified of the ESY site location for their child?**

Parents will be notified of their child's ESY site location in the *ESY Parental Acceptance Letter* which is projected to be sent prior to June 1<sup>st</sup>.

4. **How should the school respond to a parent who requests ESY services?**

All ESY decisions are made by the IEP team, including the parents, based on qualitative and quantitative data and other relevant information. The criteria for eligibility should be communicated with parents. The determination is made by the IEP team following these ESY Procedures and Guidelines.