



TENNESSEE
STATE DEPARTMENT OF EDUCATION
OFFICE OF COMMISSIONER
NASHVILLE, TENNESSEE 37243-0375

MEMORANDUM

To: Special Education Supervisors/Directors
Principals Public/Private Schools

From: Joseph Fisher, Assistant Commissioner

Date: April 23, 2001

Re: Extended School Year Services (ESY)

At the end of each school year, questions continue to arise concerning the obligation of school districts in providing ESY services. As you are aware, each year as IEP teams develop/revise student IEP's, there must be a consideration of an individual student's need for ESY services. There are several factors that need to be considered when establishing eligibility for services:

- Degree of regression/time for skill recoupment
- Degree of disability
- Parent skills and abilities – the ability of the student's parent to provide educational structure at home
- The student rate of progress (when compared to other children with the same or similar disability)
- Teacher and parent interviews and recommendations
- Data-based observations of the pupil
- Consideration of any behavioral/physical problems
- Least Restrictive Environment considerations (the ability of the student to interact with non-disabled peers)
- The availability of alternative (community) resources for serving the student
- Areas in the student's program/curriculum which require continuous attention, and
- Consideration of the student's vocational needs

The regression-recoupment factor is related to the amount of time required to relearn skills or behaviors that becomes so significant as to interfere with ongoing educational progress. While this is but one area of consideration, it is necessary for schools to have in place a system to allow for its documentation. This may be done through data collection prior to and after an extended break in the school year, (i.e. Christmas holiday, spring break, etc.).

The IEP team's decision regarding ESY services must be based on data collection. This can be determined through record reviews, interview with parents and students and classroom-based checklist of skills taught, retained and/or lost. Additionally, LRE, the availability of community resources and curriculum needs must be considered as well. Documentation on the IEP should include both the decision and explanation on how the decision was determined. If the team feels that there is inadequate information to support a decision regarding ESY services, there should be a clear/concise statement as to when the decision will be made and the data that must be collected to make that decision.