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Title 28 EDUCATION

Part LVII. Bulletin 1872C Extended School Year Program Handbook

Chapter 1. Purpose

§101. Introduction

A. Extended School Year Program (ESYP) is the provision of special education and related services to students with disabilities in accordance with an Individualized Education Program (IEP) beyond the normal school year of the LEA and at no cost to the parents of the student. The legal basis for extending the school year for certain students with disabilities is stated in §447 of *Bulletin 1706C Regulations for Implementation of the Children with Exceptionalities Act* (R.S.17:1941 et seq.) and in court decisions relative to the 180-day rule. These decisions have reaffirmed the federal legislative intent to ensure an appropriate education based on the student's needs and on the individually designed educational program to meet those needs.

B. The Louisiana Department of Education and the Advocacy Center for the Elderly and Disabled concluded the *Laura I. Consent Decree* in 1994. As a result of the *Laura I. Consent Decree*, the Louisiana Department of Education established program standards for extended school year services. All local education agencies must utilize specific eligibility criteria to determine the need for ESYP and program planning guidelines to design, implement and evaluate the extended school year program.

C. The ESYP eligibility criteria were developed to ensure that students have equal access to extended school year services. These criteria were effective as of October 1, 1990. The ESYP planning guidelines were developed to ensure that ESYP services are based on the individually identified needs of students with disabilities. The program standards were effective as of January 1, 1991.

D. This handbook, Extended School Year Program, consolidates Bulletins 1870: Determining Eligibility for Extended School Year Programs (April 2, 1990), and 1871: Program Standards for Extended School Year Program (January 1, 1991). This consolidated handbook also includes revisions made during the spring of 1994 once all local education agencies had exited from the consent decree. Further revisions were made during the summer of 2002 and 2004. The current handbook provides the guidelines on eligibility determination, design, implementation, and evaluation of the extended school year program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1997 (September 2004).

Chapter 3. Program Standards

§301. Overview

A.1. The extended school year program standards must be used in the development, implementation, and evaluation of ESYP. The standards encompass four major components of extended school year programming:

- a. eligibility determination;
- b. planning;
- c. implementation; and
- d. evaluation.

2. Components and accompanying standards are listed in §303, §305, §307 and §309.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1997 (September 2004), amended LR 31:915 (April 2005).

§303. Eligibility Determination [Component One]

A. Local education agencies shall ensure that ESYP screening procedures and eligibility determinations are completed in accordance with state eligibility criteria guidelines. [Standard 1]

B. Parents shall be advised of and involved in the ESYP screening process. [Standard 2]

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004).

§305. Planning [Component Two]

A. Local education agencies shall ensure that the ESYP program of each student is individually designed, reflects high priority needs, and includes services necessary to conduct the program. [Standard 1]

B. Parents shall be given opportunities to be involved actively in the design and implementation of the ESYP. [Standard 2]

C. Local education agencies shall ensure that there is ongoing communication between regular school year staff and ESYP staff sufficient to ensure program continuity. [Standard 3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004).

§307. Implementation [Component Three]

A. Local education agencies shall continue to address LRE factors, including integration with non-disabled persons, in the implementation of the ESYP program. [Standard 1]

B. Local education agencies shall ensure that the services listed on the ESY-IEP are provided. [Standard 2]

C. Local education agencies shall ensure that instructional activities conducted during ESYP are documented. [Standard 3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004).

§309. Evaluation [Component Four]

A. Local education agencies shall ensure that instructional personnel measure and report student outcomes. [Standard 1]

B. Local education agencies shall evaluate ESYP outcome data to determine program effectiveness. [Standard 2]

C. Local education agencies shall report ESYP data in accordance with state mandated procedures. [Standard 3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004).

Chapter 5. Eligibility Determination Procedures

§501. Overview

A. The ESYP Eligibility Criteria must be used in determining eligibility for extended school year services. Students who meet the following conditions prior to the ESYP screening date must be screened annually to determine their eligibility for ESYP:

1. are ages 3-21¹;
2. are classified with a disability according to the *Pupil Appraisal Handbook*;
3. have a current evaluation; and
4. have a current IEP.

B. Students must be screened for the ESYP every year, regardless of previous participation or nonparticipation in the ESYP. The flow chart on the following page indicates how the screening, eligibility determination, programming, and implementation process takes place. NOTE: Students on interim IEPs must be screened for ESYP based on the suspected disability.

C. The screening process is actually the ongoing process of instruction and assessment of student performance and/or data collection throughout the regular school year.

¹The student's 3rd birthday is prior to the screening date or their 22nd birthday is after the screening date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004), amended LR 31:915

§503. Annual IEP

A. The IEP team discusses all pertinent criterion/criteria that the student may qualify for ESYP. The team identifies at least one of criterion as a possible area under which the student may need ESYP. Below are some guidelines to guide this decision.

1. Regression-Recoupment Criterion should be considered for any student expected to have a problem with recoupment of skills. A regression-recoupment problem exists if following breaks in instruction there is a pattern of regression without timely recoupment in the performance of objectives most essential to the student's overall functioning. The Regression Recoupment Criterion may be used for any student receiving special education services but must be used for students classified with moderately mentally disabled, severely mentally disabled, profoundly mentally disabled, deaf blind, autism, multi-disabled, traumatic brain injury, and preschool students with disabilities.

2. Critical Point of Instruction (CPI) 1 criterion should be considered for students for which there is reason to suspect that there will be a loss of general education class(es)/time or increase in special education service time because of a lack of academic or social skill development.

3. Critical Point of Instruction (CPI) 2 criterion should be considered for students for which there is reason to suspect that there will be a loss of significant progress made toward the acquisition and/or maintenance of a critical self-help, community access, or social/behavioral skill.

NOTE: CPI (1 and/or 2) is typically selected by default if the team does not suspect a need for ESYP along any of the other criterion. The teacher/instructional team is not prohibited from reviewing student performance (i.e., screening) for CPI or other criterion that were not originally targeted.

4. Self-Injurious behavior criterion should be considered for students who exhibit self-injurious behavior that is persistent, regular, and continuous.

5. Employment criterion should be considered for students who are 16-21 years old and who are engaged in or expected to have paid employment prior to the ESYP screening date.

6. Transition criterion should be considered for students who have a transition services plan and who are expected to exit the local education agency at the end of the school year.

7. Excessive absences criterion should be applied to students expected to have documented absences in excess of

25 days without the provision of hospital/homebound services because of a diagnosed health condition and as a result is expected to fail to make projected progress. It may not be possible to anticipate these conditions but this criterion should be considered during screening for students with 25 or more absences.

8. Late entry criterion should be applied to students who enter special education after January 1st (but prior to the ESYP screening date)

9. All applicable criterion/criteria must be checked in the ESYP block on the IEP.

B. If regression-recoupment, critical point of instruction (1 and 2) and/or self-injurious behavior criteria are selected:

1. the IEP team decides which objectives to target (i.e., the "Determination of Essential Skills" checklist assists the team in determining the most important objectives for the student);

2. the IEP team discusses ways of collecting data and strategies for team functioning. The method of data collection will depend on the individual objective(s). Data may take the form of task analyses, checklists, grades in teacher gradebook, teacher/parent observation logs, etc.

C. In addition to these criterion specific action steps, the following actions must also be performed at every IEP.

1. The parent(s) is given a copy of the ESYP Fact Sheet and indicates receipt of this sheet by checking the "Parent Decisions" box on the placement/least restrictive environment page of the IEP.

2. The ESYP screening date is checked in the ESYP block on the program/services page of the IEP. If the student's initial IEP date is after January 1 but prior to the screening date, he or she has two screening dates (i.e., the current and subsequent school years).¹

¹For children transitioning from ChildNet to Part B Services who have spring birthdays, the teacher/instructional staff must consider all applicable criteria including regression/recoupment, critical point of instruction, late entry into school, and extenuating circumstances. The need for information to determine ESYP eligibility should be addressed on or before the mandated transition meeting, which must be held 90 days before the child's third birthday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1998 (September 2004), amended LR 31:915 (April 2005).

§505. Ongoing Data Collection [Refer to the Specific Data Requirements and Criteria for the ESYP Criterion (Ia) Selected at the IEP]

A. Student performance on goals and objectives on the IEP is monitored on an ongoing basis throughout the school year. The data collected (e.g., grades, progress reports, behavior checklists, task analyses, teacher observation logs, etc.) should indicate the progress the student makes toward acquisition of his or her goals and objectives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1999 (September 2004).

§507. Screening and Decisions Regarding ESYP Eligibility [Did the Student Meet Criteria for ESYP?]

A. The teacher collects data relevant to make a determination for ESYP eligibility. Prior to the screening date, other team members with data and department mandated forms related to student eligibility for ESYP must submit the data to the teacher with primary responsibility for IEP development.

B. The teacher/instructional personnel must review data related to making eligibility decisions no earlier than March 15 each year; the last date for making eligibility decisions is the screening date (the first Friday after Easter). The ESYP screening date is the date by which all screening must be completed and preliminary eligibility determinations must be made. Between March 15 and the ESYP screening date (the Friday after Easter) the student's teacher and/or instructional personnel examine student performance data and determine whether the student's data meet criteria for ESYP eligibility or not.

C. In addition to student data indicating a need for eligibility, many criterion areas require that ESYP would have a positive impact student performance/progress. A description of the impact of providing and withholding ESYP should be included with the documentation to support ESYP eligibility.

D. Review the sections of this handbook related to each criterion area for information regarding additional specific criteria requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1999 (September 2004), amended LR 31:915 (April 2005).

§509. Required Documentation

A. Each criterion has a number of required elements that must be provided for any student determined eligible under that criterion. Please refer to the section for each criterion for all required documentation and information. Any data and/or information related to the eligibility decision should be in the student's file and/or provided to the LEA office regardless of whether the student met eligibility or not.

B. There are eleven mandatory forms:

1. ESYP-IEP;
2. ESYP Fact Sheet provided to the parents at the annual IEP meeting;
3. ESYP Screening Determination Form. The teacher should complete and submit the ESYP Screening Determination Form to the Director/Supervisor of Special Education by the ESYP screening date; and

4. the Regression-Recoupment Summary Form (used for students considered under Regression-Recoupment criterion);

5. the Critical Point of Instruction Documentation Form;

6. the Self-Injurious Behavior Documentation Form;

7. the Employment Criterion Documentation Form;

8. the Transition Criterion Documentation Form;

9. the Excessive Absences/Late Entry Documentation Form;

10. the Letter of Eligibility and Schedule ESYP IEP Meeting;

11. the Letter of Ineligibility.

C. If the local education agency requires the Student Eligibility Review Form, the teacher should complete it.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1999 (September 2004), amended LR 31:916 (April 2005).

§511. Parental Notification and ESYP-IEP

A. The teacher should send the parents written notification of the screening results within 5 business days of the ESYP screening date. For students whose data do not support eligibility, photocopies of the department mandated forms related to the eligibility criterion used for screening should be enclosed in the notification letter.

B. For students whose data support eligibility for the ESYP, an ESYP IEP is scheduled (not necessarily held) within 15 business days after the ESYP screening date. Every effort must be made to obtain parental participation. The same procedures are followed as for a review IEP (*Bulletin 1706*, §442 and §443). If parental participation cannot be obtained, the ESYP IEP is developed and the parent(s)/guardian are notified and sent copies of documents.

C. For students whose screened data do not support eligibility for ESYP, and the parent(s) disagrees with the preliminary eligibility determination, a meeting of the IEP team should be held to review the data regarding ESYP eligibility. If the data indicate the student is eligible or there is insufficient data to make a determination, the ESYP-IEP should be developed. If the data supports the initial screening assessment and preliminary determination (i.e., ineligible), the parent has the right to appeal the decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2000 (September 2004), amended LR 31:916 (April 2005).

§513. Implementation of ESYP

A. An ESYP program should be implemented in accordance with the student's ESYP-IEP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2000 (September 2004).

§515. After ESYP

A. All ESYP Instructional data and progress information should be reported to the regular school year IEP team. All appropriate data should be sent to the LEA Supervisor/Director of Special Education and/or the LEA representative responsible for submitting ESYP summary outcome data into LANSER. LANSER data should be entered by October 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2000 (September 2004).

§517. Eligibility Criteria

A. Seven criteria are used to determine a student's need for ESYP: Regression-Recoupment; Critical Point of Instruction; Self-Injurious Behavior; Employment; Transition; Excessive Absences; and Late Entry.

B. There may be unusual situations or circumstances in which a student classified with a disability and enrolled in special education may need the ESYP but does not meet any of the eligibility criteria. In this case the teacher/instructional personnel may consider "Extenuating Circumstances." The purpose is to catch the student who meets the spirit, but not the letter, of the existing criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2000 (September 2004).

§519. Regression-Recoupment Criterion

A. Students to be considered:

1. all students with disabilities enrolled in special education;

2. this criterion must be used to screen students who have a classification of: moderately mentally disabled, severely mentally disabled, profoundly mentally disabled, deaf/blind, autism, multi-disabled, traumatic brain injury, and preschool students with disabilities;

3. the IEP team decides whether or not to use the regression-recoupment criterion for preschool students whose only classification is speech or language impairment.

NOTE: The decision is made at the IEP meeting. The regression-recoupment criterion may be used to screen any other student classified with a disability at the discretion of the IEP team.

B. Why regression-recoupment? A student who exhibits a pattern of regression-recoupment problems (i.e., reverts to a lower level of functioning after a break in instruction and fails to regain the skill level in a reasonable length of time) may need ESYP to maintain his or her skill level to avoid

having to restart a sequence of instruction after instructional breaks.

C. Why target objectives? Regression-recoupment problems are demonstrated by looking for a pattern. The pattern may be across various skill areas or in only one skill area. By selecting a minimum of four objectives across educational need areas most essential to the student's overall functioning and well-being, the IEP team will get a picture of whether or not there is a pattern of regression-recoupment problems in areas most important for that student.

D. Why collect data? Data must be collected to determine a student's performance on objectives. Examining the data before and after instructional breaks allows instructional personnel to determine whether the student has reverted to a lower level of functioning and to observe how long it takes the student to return to the previous functioning level.

E. Why over two breaks? By collecting data over two breaks, the teacher/instructional personnel will determine whether there is a pattern and whether the pattern is consistent over time.

F. Definitions

Break in Instruction A break of at least five consecutive instructional days.

Highest Post-Break Score The highest level of performance the student attains within five data points following the break indicates whether the student has recouped the skill or has problems with regression-recoupment.

Holiday Break A break of five or more instructional days (e.g., summer break, Thanksgiving, Christmas, Easter, spring break).

Imposed Break A break of five instructional days. When imposing a break, the IEP team must ensure the following:

- a. the student's health/well being is not endangered; and
- b. the break is based on the need to determine whether or not the student would retain the skill without daily intervention.

Pre-Break Average The average of three data points immediately before the break. If data are being collected two times/week, data collection could span a two-week period.

Recoupment To regain the level of functioning prior to the break in instruction.

Regression To revert to a lower level of functioning after a break in instruction.

Target Objectives Objectives on the student's IEP; data collected on these objectives must be examined in determining whether a pattern of regression-recoupment problems exist. A minimum of four objectives across the educational need areas most essential to the student's overall functioning must be targeted.

G. Steps to Applying the Regression-Recoupment Criterion

1. Annual IEP

a. The IEP team identifies the regression-recoupment criterion as one possible area under which the student may qualify for ESYP.

b. The IEP team targets a minimum of four objectives that are the most essential to the student's overall functioning (the "Determination of Essential Skills" checklist assists the team in determining the most important objectives for the student). The number of each objective targeted for regression-recoupment is circled on the IEP instructional plan page(s).

c. When possible, an objective from each educational need area is targeted.

d. The IEP team discusses ways of collecting data and strategies for team functioning.

2. Ongoing Data Collection/Screening [Refer to the Regression-Recoupment Summary Form and Directions on File at the Department]

a. Student performance data are examined before and after a minimum of two instructional breaks (i.e., a break of at least five consecutive instructional days). The method of data collection will depend on the individual objective(s). Data may take the form of task analyses, checklists, grades in teacher gradebook, teacher/parent observation logs, etc.

b. Specifically, three data points prior to each break and five data points following each break will determine whether the student has any regression-recoupment problems.

NOTE: Examining a student's regression-recoupment performance over a summer break is not mandated, but is recommended. If the IEP team uses the summer break as one of the instructional breaks the difference of a four-week period is allowed to assess recoupment, since it is a much longer break.

3. Determine whether there is a regression-recoupment problem such that the highest of the five post-break scores is lower than the average of the three pre-break scores.

a. Does it take longer than five data points to get back to the pre-break average?

i. No. If the student reached the pre-break average on any day within the first five data points, the student has recouped that skill. If normal/ongoing data collection for this skill/objective is two times/week, the recoupment period would span three weeks after the break.

ii. Yes. If the highest (or all five) post-break score(s) are lower than the pre-break average.

iii. The question asked on the Regression-Recoupment Summary Form is, "Was the highest post-break score lower than the pre-break average?"

4. Is the student eligible for ESYP?

a. Fill out the Regression-Recoupment Summary Form. Look at the RECOUPMENT question, and base the decision as to whether there is a pattern of regression-recoupment problems on the following:

i. YES. One objective has "yes" checked for RECOUPMENT over both breaks; and/or

ii. YES. There are the same or greater number of "yes" than "no" responses checked for Regression-RECOUPMENT problems across all skills and breaks.

iii. NO. Otherwise the student is not eligible for ESYP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2000 (September 2004).

§521. Critical Point of Instruction Criterion

A. Students to be Considered

1. All students with disabilities enrolled in special education.

B. Definitions

1. Students with disabilities may be eligible for the ESYP if there is evidence that extended service(s) is needed to allow the students to achieve a critical point of instruction in order to preclude one or more of the following from occurring.

a. Critical Point 1 (CPI-1). Any loss of general education class(es)/time or increase in special education service time because of a lack of academic or social skill development.

b. Critical Point 2 (CPI-2). A loss of significant progress made toward the acquisition and/or maintenance of a critical self-help, community access, or social/behavioral skill.

NOTE: In very simple terms, a *critical point of instruction* for these self-help, community access, and social/behavioral skills refers to the point at which a student has almost achieved the skill. The educational needs codes on the IEP form may or may not match the areas described above (i.e., "giving the cashier the correct amount of money" might be coded as academic or vocational, but the skill is aimed at enabling the student access to the community).

C. Steps to Applying the Critical Point of Instruction Criterion

1. Annual IEP

a. The IEP team identifies Critical Point of Instruction (CPI) Criterion as a possible area under which the student may need the ESYP.

b. The IEP team discusses all of the components of the criterion, different ways to collect data, and strategies for team functioning.

2. Ongoing Data Collection/Screening

a. The student's performance on goals and objectives on the IEP is monitored on an ongoing basis throughout the school year. The data collected (e.g., grades, progress reports, behavior checklists, task analyses, teacher observation logs, etc.) should indicate the progress the student makes toward acquisition of his or her goals and objectives.

3. Is the Student Eligible For ESYP?

a. Critical Point 1

i. The teacher/instructional personnel reviews all relevant data and determines whether there is a possibility that the student may be in danger of the loss of general education class time because of lack of academic or social skill development. In other words, any increase in special education service time must be examined.

(a). Is there any reason to suspect that the student is in danger of losing general education time for either academic or social reasons? Example 1: the student may not be keeping up with work in the general education class and there may be the need for more special education support in the general education class. Example 2: the student may be exhibiting behavior(s) that interfere with class participation; removing him/her because of the disruptive behaviors is being considered.

ii. Review Student Performance, Progress

(a). What do the data indicate? The teacher/instructional personnel should look at whether the student demonstrates adequate performance, is able to perform at grade level, is able to perform in reading related areas, or is exhibiting behavior that interferes with class participation, etc.

(b). Do other team members see the same performance pattern?

iii. Decision Making

(a). Is it possible that the ESYP could prevent the loss of time in general education class(es) or the increase in special education support/service(s) time?

(b). Why does the teacher/instructional personnel think the ESYP could prevent this loss of time? Why does the teacher/instructional personnel think the ESYP could not prevent this loss of time? Example 1: could intensive work in specific need areas (drill in math, study and organization skills, phonics skill building, social skills training, etc.) make the difference? Example 2: the ESYP may not make a difference because of the fact that the student is three grade levels below in reading, or the student has a lack of interest/motivation.

b. Critical Point 2

i. The teacher/instructional personnel reviews all relevant data and determines whether there is a possibility that the student may be in danger of losing significant progress made toward acquisition and/or maintenance of a critical self-help, community access, or social/behavioral skill.

(a). Are there any objective(s) on the student's IEP in the area of self-help skills (e.g., taking care of self and personal needs such as, toileting, dressing, body care/hygiene), community access (e.g., skills necessary for independent functioning in community situations such as, crossing streets, buying items at a store, using the telephone for information/emergency service), social/behavioral skills (e.g., communicating with others for needs/wants, controlling unacceptable behavior, such as hitting others or screaming in social/educational situations)?

(b). Has the student almost achieved any of the objectives/skills in these areas?

ii. Review Student Performance, Progress

(a). What do the data indicate? The student is *about at criterion*, or *almost has it*, or the student is *not close to criterion*.

(b). Do other team members have data on these skill areas? Are the skill(s) considered critical?

iii. Decision Making

(a). Is the skill critical? Does the student need to acquire or maintain the skill now?

(b). Is the skill crucial because of the student's age?

(c). Is the skill important because it limits future program options?

(d). Is the skill significant because it limits future living/community integration opportunities?

(e). Based upon his or her past performance (rate) could the student acquire or maintain the self-help, community access, or social/behavioral skill(s) during the ESYP? Would the ESYP make a difference?

4. Required Documentation

a. Critical Point 1:

i. a description of the present conditions that make it likely that the student will lose time in general education class(es) or that the student will need an increase in special education support/service time; and

ii. an explanation of how ESYP services are likely to prevent the student from losing the general education class(es) time

iii. Critical point of instruction documentation form found on file at the department. or increasing special education service time.

b. Critical Point 2:

i. a list of the skill(s)/objective(s) considered to be crucial or important for the student (*The Determination of Essential Skills Checklist*, on file at the department, contains list of skills);

ii. the student's current performance on the unmastered skill(s)/objective(s);

iii. information describing the crucial nature of the skill(s)/objective(s) and the impact of both providing and withholding the ESYP; and

iv. data/information which support the probability that the student could master/maintain the skill(s)/objective(s) during the ESYP.

v. Critical point of instruction documentation form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2001 (September 2004), amended LR 31:916 (April 2005).

§523. Self-Injurious Behavior

A. Students to be Considered. All students with disabilities who are enrolled in special education and who exhibit self-injurious behavior(s).

B. Definitions

1. Self-injurious behavior(s) is self-directed and negatively impacts the health and well-being of the student: (e.g., banging one's head, severely scratching oneself, pinching oneself, biting oneself, etc.) The behavior inflicts injury on self.

2. The self-injurious behavior(s) is consistent in nature (i.e., persistent, regular, or continuous).

3. Self-injurious behavior(s) requires intervention to ensure that there is a reduction in the behavior(s) or that appropriate social behavior is achieved or maintained.

4. Students who exhibit a self-injurious behavior(s) should have a goal(s) and objective(s) on the IEP to address the reduction and/or elimination of the self-injurious behavior(s).

NOTE: There may be instances when a self-injurious behavior is exhibited and no goal(s) and objective(s) are on the IEP to address the behavior. Documentation should describe the behavior, the baseline data, the intervention plan, results, and any revisions to the intervention, etc. However, it must be emphasized that these needs should be addressed on the student's IEP.

C. Steps to Applying Self-Injurious Behavior Criterion

1. Annual IEP

a. The IEP team identifies *Self-Injurious Behavior Criterion* as an area under which the student may need ESYP. The IEP team and/or the teacher/instructional personnel should use this criterion for the student who exhibits self-injurious behavior that is persistent, regular, and continuous.

b. There is a plan for conducting a functional behavioral assessment and developing a positive behavioral support plan.

2. Ongoing Data Collection/Screening

a. The behavior is clearly defined or described.

b. Baseline data are collected, including data pertaining to the frequency and/or duration of the behavior.

c. A positive behavioral support/intervention plan is designed and implemented by the IEP team.

d. The teacher/instructional personnel and/or parent(s) collect data to verify the success or failure of the intervention plan (e.g., frequency count, duration check).

e. Evaluate. If the data collected indicate that the intervention plan is not working to reduce the self-injurious behavior (usually about two weeks), the intervention plan should be revised. The teacher should go back to steps 3 and 4.

3. Is the student eligible for ESYP?

a. By the ESYP screening date, the teacher/instructional personnel reviews all of the data related to the behavior and considers the following.

i. Questions

(a). Does the behavior result in self-injury?

(b). Is continued intervention necessary to reduce the self-injurious behavior(s)?

(c). Is continued intervention necessary to ensure that appropriate behavior is achieved or maintained?

ii. Review Student Performance, Progress

(a). What do the data indicate? Has the self-injurious behavior decreased, or is the student in need of continued intervention?

(b). Do other team members see the same pattern of behavior?

b. Decision Making

i. If the data indicate the student is in need of continued intervention to maintain appropriate behavior or reduce self-injurious behavior, the student is eligible for the ESYP.

4. Required documentation:

a. a description/definition of the behavior;

b. baseline data;

c. a description of the intervention plan;

d. intervention data;

e. if necessary, the revised intervention plan(s);

f. Self-Injurious Behavior Documentation Form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2002 (September 2004), amended LR 31:916 (April 2005).

§525. Employment

A. Students to be Considered

1. All students with disabilities enrolled in special education ages 16-22 who are employed by the screening date.

B. Definitions

Paid Employment—that the student is paid commensurate/minimum wage or has an alternate wage certificate from the Department of Labor to be paid at a reduced level. In cases in which the student is paid a stipend (e.g., JTPA funds, cleaning tables in the teachers' lounge for \$0.25), the student is not eligible for the ESYP.

a. The student is employed at a job site, prior to the screening date, and that employment is expected to continue throughout the summer months.

b. There are vocational or employment goal(s) and objective(s) on the student's current IEP.

c. There is documented evidence that the student is in need of support in order to maintain paid employment.

C. Steps to Applying Employment Criterion

1. Annual IEP. The IEP team determines that the student may qualify for the ESYP via the employment criterion. This criterion is applied to students who are 16-22 years old and who are engaged in paid employment prior to the ESYP screening date. The job is expected to continue through the summer months.

2. Ongoing Data Collection/Screening. The student's performance on goals and objectives on the IEP is monitored on an ongoing basis throughout the school year. The data collected on the vocational/employment goal(s) and objectives may take the form of task analyses, job performance checklists, information from job coach/supervisor, etc.

3. Is the student eligible for ESYP?

a. Questions

i. Does the student's current IEP address vocational/employment goals and objectives?

ii. Did the student begin paid employment prior to the ESYP screening date?

iii. Do the performance data indicate that the student will need support to maintain the paid employment throughout the summer?

b. Review Student Performance/Progress

i. What do the data indicate? How is the student's performance on the job? Is the student able to perform the job with or without support? What type of support is needed?

c. Decision Making

i. If the data indicate the need for support for the student to maintain the paid employment, then the student is eligible for ESYP.

4. Required Documentation

a. Documentation (i.e., job performance data) that the student is in need of support to maintain the paid employment;

b. written statement from the employer indicating the intention to employ the student throughout the summer months;

c. a current IEP with vocational/employment goals and objectives;

d. Employment Criterion Documentation Form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2003 (September 2004), amended LR 31:916 (April 2005).

§527. Transition

A. Students to be Considered

1. All students with disabilities who are enrolled in special education, who have a transition services page on the IEP, and who are expected to exit the local education agency at the end of the school year.

B. Definitions

1. Individualized Transition Services Page. The first page of the IEP lists the action steps that a person will need to accomplish in order to live, work, and recreate as an adult as independently as possible. It must be written by the time the student is age 16, or earlier if appropriate, and revised annually until the student exits the local education agency. Participants of the transition services page include the student, family members, and representatives of other agencies responsible for providing or paying for transition services.

2. Action Steps. Activities designed to promote movement from school to post school activities, including post-secondary education, vocational training, integrated employment, continuing and adult education, adult services, independent living, or community participation

C. Steps to Applying Transition Criterion

1. Annual IEP

a. The IEP team identifies the transition criterion as one possible area under which the student may qualify for the ESYP. This criterion is for students who have a transition services plan and who are expected to exit the local education agency at the end of the school year.

b. Local education agency transition services action steps are addressed in the IEP objectives. The IEP team discusses different ways of collecting data and strategies for team functioning.

2. Ongoing Data Collection/Screening

a. Throughout the school year, the teacher/instructional personnel monitors the transition services page and corresponding objectives on the IEP.

b. Prior to the ESYP screening date, the teacher/instructional personnel reviews the student's transition services page to determine whether there are any local education agency action steps which will not be completed by the end of the normal school year.

3. Is the student eligible for ESYP?

a. Questions

i. Are there local education agency transition services page action steps that will not be completed by the end of the school year?

ii. Does the student need transition services during the summer months?

b. Review Student Performance/Progress

i. What do the data indicate? Is the student completing all local education agency action steps and corresponding objectives? Are there some local education agency action steps and corresponding objectives that are not complete?

c. Decision Making

i. The student is eligible for ESYP if s/he is in need of service(s) to complete action steps that are the responsibility of the local education agency.

4. Required Documentation

a. A list of the incomplete action steps and corresponding objectives that are the responsibility of the local education agency.

b. Information describing the student's need for transition services during the summer months;

c. Transition Documentation Form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2004 (September 2004), amended LR 31:916 (April 2005).

§529. Excessive Absences

A. Students to be Considered

1. Students classified with a disability who are absent during the school year for more than 25 days for health related reasons without provision of hospital/homebound services.

B. Definitions

1. Health-related conditions listed in Standard 2.055.06 of *Bulletin 741 Louisiana Handbook for School Administrators* are as follows:

a. extended personal physical or emotional illness as verified by a physician or dentist;

b. extended hospital stay as verified by a physician or dentist;

c. extended recuperation from an accident as verified by a physician or dentist;

d. extended contagious disease within a family as verified by a physician or dentist.

C. Steps to Applying Excessive Absences Criterion

1. Annual IEP

a. The IEP team discusses the student's general health, past health, current health condition, etc., and in the event they:

i. anticipate student absences because of a diagnosed health condition in excess of 25 days without the provision of hospital/homebound services; and

ii. believe these absences will result in the student failing to make projected progress, he or she may qualify for ESYP.

2. Ongoing Data Collection/Screening

a. The IEP team collects data throughout the school year (e.g., grades, behavior checklists, task analyses, teacher observation logs). The data should indicate the progress (or lack of) the student is making toward acquisition of his or her goals and objectives.

b. The teacher documents absences caused by a diagnosed health condition(s) (e.g., verification from physician, certification from child welfare and attendance personnel that the absences were health related) or the provision of hospital/homebound services.

3. Is the student eligible for ESYP?

D. Questions

1. Has the student been absent for more than 25 days, because of a diagnosed health condition, without the provision of hospital/homebound services?

2. Has the student failed to master high priority (i.e., essential to the student's overall functioning and continued educational progress) skills/objectives as a direct result of the health-related absences?

3. Will failure to acquire these skills seriously jeopardize the overall educational progress of the student?

4. Could the ESYP have a significant impact on the student's ability to make continued progress toward the acquisition of high priority goals and objectives absolutely necessary for his or her continued progress in school?

a. Review Student Performance/Progress

i. Do data indicate lack of progress, or has the student kept up with school work in spite of the health-related absences?

b. Decision Making

i. If the health-related absences have negatively affected the student's educational progress and the ESYP could help the student get back on track, then the student is eligible for ESYP.

5. Required Documentation

a. Verification of health-related absences;

b. description of student's lack of progress on high priority skills/objectives because of health-related absences;

c. description of the impact of providing and withholding the ESYP on the student's ability to master high priority goals and objectives;

NOTE: It is possible that excessive absences will not be indicated on the IEP as a criterion area, since the student's eligibility is based on the student having missed the days by the ESYP screening date. It is the responsibility of the teacher/instructional personnel to screen students who meet the conditions stated above for the ESYP.

d. Excessive Absences/Late Entry Documentation form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2004 (September 2004), amended LR 31:916 (April 2005).

§531. Late Entry Into School

A. Students to be Considered

1. Students who enroll after January 1st and prior to the screening date and have insufficient records/documentation to determine eligibility; there is usually insufficient time to collect all instructional data necessary to determine eligibility via other criteria.

B. Definitions

1. Late Entry. The student enrolls between January 1st and the ESYP screening date.

C. Steps to Applying Late Entry Criterion

1. Annual IEP

a. The IEP team discusses:

i. the student enters special education between January 1st and the ESYP screening date;

ii. whether the student has accompanying records/performance information;

iii. whether the student is expected to be enrolled for insufficient time for the IEP team to collect adequate data to make an eligibility decision; and

iv. in the event the student fails to make the progress projected on the IEP, the student may qualify for ESYP.

2. Ongoing Data Collection

a. If possible, accompanying records from the previous instructional setting are secured.

i. Data are collected on an ongoing basis (e.g., grades, behavior checklists, task analyses, teacher observation logs).

3. Is the student eligible for ESYP?

a. Questions

i. Did the student enter the program between January 1st and the screening date with insufficient time and data necessary to determine eligibility via any of the other criteria?

ii. Is the student failing to make the projected progress on his or her high priority goals and objectives?

iii. Is there evidence that the ESYP could have a significant impact upon the student's ability to master high priority (i.e., objectives/skills essential to overall functioning and continued educational progress) goals and objectives?

b. Review Student Performance/Progress

i. Data indicate the student has adapted and is making progress in the program or data indicate that the student is having trouble adjusting and is not making progress.

c. Decision Making

i. If the student is not making the progress expected and/or there was insufficient time to collect data to determine eligibility for ESYP and the teacher/instructional personnel feels that the ESYP could have a significant impact on the student being able to meet high priority goals and objectives, then the student is eligible for the ESYP.

4. Required Documentation

a. Documentation that the student entered between January 1st and the screening date (indicated by the date of the IEP);

b. description of the student's inability to make the progress projected;

c. description of the impact of providing and withholding the ESYP on the student's ability to master high priority goals and objectives;

d. Excessive Absences/Late Entry Documentation Form found on file at the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2005 (September 2004), amended LR 31:916 (April 2005).

§533. Extenuating Circumstances

A. There may be unusual situations or circumstances in which a student classified with a disability and enrolled in special education may need the ESYP, but does not meet any of the eligibility criteria. The intent of extenuating circumstances is to identify the student who meets the spirit, but not the letter, of the existing criteria.

1. The teacher/instructional personnel must use professional judgement and make the ultimate decision whether the student needs the ESYP to receive a free and appropriate public education (FAPE). In other words, the teacher/instructional personnel must answer the question: Will a break in instruction negatively impact him/her or

cause the student to lose skills that will restrict his or her ability to function as independently as is possible?

B. Steps

1. The teacher/instructional personnel must screen the student using all the ESYP criteria that apply.

2. If the student does not qualify, but the teacher/instructional personnel believes there is a need for ESYP, an ESY-IEP meeting must be convened.

C. Required Documentation

1. The teacher/instructional personnel must describe the student's need for the ESYP based on the instructional data and the most closely applicable ESYP criteria. This description/narrative is written on the ESY-IEP, or on another page, and attached to the ESY-IEP.

D. Examples

1. A student has 20 health related absences by the screening date and the teacher/instructional personnel expects s/he will be absent at least six more days because of a diagnosed health condition. The teacher/instructional personnel must determine whether the health-related absences have impeded the student's progress on high priority goals and objectives and whether the ESYP could have a significant impact on his or her educational program (the excessive absences criterion).

2. A student in a self-contained class setting may be able to increase his or her time in the general education class if s/he receives some assistance during the ESYP (CPI-1 criterion).

NOTE: This placement does not indicate that students may receive the ESYP to pass a class or remediate a deficit.

3. A student was addressing the critical social objectives/skills [e.g., demonstrating appropriate peer/adult interactions (90 percent of interactions), following school and classroom rules (95 percent of rules/day)] on his or her IEP and started to make progress on them late in the school year. S/he is now at 50 percent and 60 percent of the criterion level in those skill areas (i.e., not near criterion).

4. A student has an assistive technology device and it is essential for that student to use the system/technology through the summer to maintain his/her functioning level of the device.

5. The skills are deemed crucial for the student to continue to participate in the general education setting. Now that the student has begun to make significant progress on the critical skills, the teacher/instructional personnel agree that the ESYP would have a significant impact on the student's ability to master/maintain these critical skills (CPI-2 criterion).

6. A student does not show a pattern of regression-recoupment problems on the objectives targeted for regression-recoupment data collection. However, there are other objectives on the IEP which were not targeted and the data indicate there is a regression-recoupment problem with these objectives. The teacher/instructional team decides

these are essential skills for the student and that these skills need to be maintained. The team indicates the student qualifies for ESYP via the regression-recoupment criterion (regression-recoupment criterion).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2005 (September 2004), amended LR 31:917 (April 2005).

§535. Review of Screening/Eligibility Determination

A. At the IEP meeting, the teacher should:

1. explain and give the parent(s)/legal guardian the ESYP fact sheet and document receipt of it on the placement/LRE page of the IEP;

2. discuss the applicable criterion/criteria for screening and for determining the student eligible and then check the applicable criterion/criteria on the program services page of the IEP; and

3. tell the parent(s)/legal guardian the ESYP screening date(s) and check the date(s) on the program services page of the IEP.

B. During the school year, the teacher should:

1. collect student performance information/data;

2. review the student's progress/lack of progress regularly; and

3. if applicable, complete the Regression-Recoupment Summary Form.

C. Between March 15 and the ESYP screening date, the teacher should:

1. review the student's performance information/data and IEP objectives to determine whether the student is in need of an extended school year program;

2. once the decision has been made, the teacher should:

a. by the fifth business day after the ESYP screening date, send the parent(s)/legal guardian a written notice of whether the student is eligible or ineligible (Sample letters on file at the department). For students whose data do not support eligibility, photocopies of the department mandated ESYP criteria documentation forms related to the eligibility criterion used for making the preliminary determination should be enclosed in the notification letter (Sample forms on file at the department).

b. for eligible students, by the 15th business day after the ESYP screening date, send the parent(s)/legal guardian a notice to schedule the ESY-IEP meeting. The meeting does not have to be held by the 15th business day, but it must be scheduled (sample letter on file at the department). The ESY-IEP meeting must be held prior to the beginning of the student's ESY program;

c. every effort must be made to gain parent(s)/guardian participation in the ESY-IEP meeting. If

the parent(s)/guardian cannot attend the ESY-IEP, the teacher should follow the same procedures used for a review IEP meeting (*Bulletin 1706*, §§442 and 443). The ESY-IEP is developed and copies of the document are sent home to the parent(s)/guardian;

d. the teacher should complete the ESYP Screening Determination Form and submit it to the Director/Supervisor of Special Education by the screening date.

D. For eligible students, the IEP team should hold the ESY-IEP meeting (next section information and directions).

E. For students with a preliminary determination of ineligible and for whom the parents/legal guardians have questions or disagree, the teacher should schedule and hold a meeting with the IEP team to review the decision. This should be documented on the ESY IEP by indicating whether the meeting was requested either by the parent or by school personnel to review or determine eligibility for extended school year services. The IEP team should indicate the student's ESY eligibility status. If the parent continues to disagree with the LEA decision they may exercise their rights by initiating procedures in Louisiana's Educational Rights of Children with Exceptionalities in Public Schools. Complaint procedures and final decisions and results will be finalized in an expedited manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2006 (September 2004), LR 31:917 (April 2005).

Chapter 7. ESY Program Planning Guidelines

§701. Overview

A. Extended School Year IEP. The ESYP Planning Guidelines section of the handbook provides assistance to IEP teams in the development of an individualized extended school year program. Included in this section are instructions for completing the mandated ESY-IEP form and guidelines for the IEP team to follow in making decisions regarding the:

1. selection of goals and objectives for the ESYP;
2. duration and setting of the ESYP; and
3. personnel needed to implement the identified services.

B. The extended school year program is to be an extension of the regular school year program for students who have been determined to need this program to prevent them from losing significant skills that will impact their future life options. Therefore, the extended school year program is not to be an isolated summer program or a program designed to accelerate or remediate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2007 (September 2004).

§703. ESYP Planning Guidelines

A. This section of the handbook provides specific information on the development of Individualized Educational Programs (IEPs) for the extended school year program (ESYP).

B. For the student who qualifies for the extended school year, the ESY-IEP team must meet to develop the ESY-IEP. The ESY-IEP meeting is similar to the regular school year IEP meeting in many ways. Participants at the ESY-IEP must include the student's teacher(s), parent(s), the local education agency's officially designated representative (ODR), and the student if appropriate. Others who have insight into the student's needs (e.g., Speech-Language Pathologist, OT, PT, Case Manager, Counselor) may also attend the meeting. If possible, the teacher who will be teaching the ESYP should attend the ESY-IEP meeting.

C. The ESY-IEP team is responsible for designing the extended school year program for the student. In developing an extended school year program for a student, the ESY-IEP team must consider the student's educational needs according to the criterion/criteria by which that student qualified for ESYP. Throughout the planning phase, the team is involved in a very individualized decision-making process based on the student's specific needs identified throughout the regular school year data collection and screening.

D. Following are some examples of what the focus of a student's ESY program would be, based on the needs identified through the screening process and the criterion/criteria by which the student qualified:

1. Regression-Recoupment Criterion. The emphasis will be on the maintenance of the essential skill(s) with which the student has regression-recoupment problems.

a. Students qualifying under this criterion may benefit from three to four sessions per week for nine weeks. Three to four sessions per week should be enough to ensure maintenance. Also, with a nine-week program, there is not much time between the end of the school year and the beginning of the next. In this way, the instructional break time in which the student could regress is reduced.

2. Critical Point of Instruction 1 (CPI-1). The emphasis will be on the skill(s) the student needs to prevent loss of general education time or to provide an increase in special education service time. One instance might be the student who is in danger of losing time in general education because s/he is not keeping up in reading class. The ESY-IEP team believes that with intensive vocabulary drill and directed instruction on passage reading s/he would be able to continue in the general education class.

a. In this case, the ESYP for this student might be four or five sessions a week for several weeks for intensive teaching and drill.

3. Critical Point of Instruction 2 (CPI-2). The emphasis is on acquisition or maintenance of critical skill(s), such as the high school student who has almost mastered the skills related to grocery shopping (community access). His or her ESY program would focus instruction on achieving/maintaining the skills related to grocery shopping.

a. The number of sessions per week will be dependent upon whether the specific student needs acquisition or maintenance. Acquisition programs are usually shorter with more sessions per week, while maintenance programs are often longer in duration with fewer sessions per week.

4. Late Entry. The emphasis of the program is upon mastery of high priority goal(s) and objective(s). A student entered the program in February and has failed to make the progress expected because of adjustment problems.

a. In this case, the sessions/week and duration of the extended school year program will depend upon which and how many high priority goals and objectives have been identified. These objectives must be those identified as necessary to help ensure s/he will be on track in the fall towards the accomplishment of her/his long-term educational goal.

E. The ESYP Planning Guidelines sections include directions for the completion of the actual ESY-IEP form (on file at the department). Also included are strategies to assist the ESY-IEP team in decision-making about instruction, programming, and services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2007 (September 2004).

§705. Extended School Year Individualized Education Program (ESY-IEP): Instructions for Use of the ESY-IEP

A.1. The ESY-IEP is to be written prior to the student beginning the extended school year program. Before the ESY-IEP meeting begins, the teacher should ensure that the parent(s)/student has:

- a. received a copy of the ESYP fact sheet and a copy of their educational rights;
- b. had an opportunity for an oral explanation of each; and
- c. received answers to any questions they may have.

2. The ESYP fact sheet must be given to the parent(s) once a year; this step should occur at the annual IEP meeting. If the parent(s) received the ESYP fact sheet at the annual IEP, then he or she does not have to be given another copy.

B. The ESY-IEP team must keep in mind that the major purpose of ESYP is to extend instruction from the regular school year. An extended school year program should not attempt to remediate all areas of deficit.

EDUCATION

NOTE: In planning the student's extended school year program, reasonableness, flexibility, and professional judgement must be exercised.

C. The numbers below correspond to the numbers on the ESY-IEP form on file at the department.

1. System
 - a. The name of the local education agency (LEA) developing the ESY-IEP.
2. Student's Name
 - a. The student's full name.
3. ID#
 - a. A student's identification number or computer code number assigned to the student: it must be the same number as that recorded on the regular school year IEP.
4. DOB
 - a. The student's date of birth.
5. Homebased School
 - a. The name of the school the student attended during the current school year. (If the student was not served in a school, the current environment-such as home, hospital, or detention facility-is identified.)
6. Primary Exceptionality
 - a. The primary exceptionality, as indicated on the student's evaluation report: it must be the same as that recorded on the regular school year IEP.
7. Secondary Exceptionality
 - a. Any secondary exceptionality(ies) as indicated on the evaluation report: it must be the same as that recorded on the regular school year IEP.
8. ESYP Screening Date
 - a. The actual date the screening decision/determination of eligibility was made. (Since screening can begin March 15 every year, this date will be between March 15 and the annual screening date/first Friday after Easter.)
9. ESYP Meeting Date
 - a. The actual date(s) the ESY-IEP meeting(s) was held to design the extended school year program.
10. Check only if Applicable
 - a. If the ESY-IEP meeting was requested either by the parent or by school personnel to review or determine eligibility for extended school year services, check the statement that applies. If there was no request for a meeting to review or determine eligibility, this item is left blank.
11. Eligibility Determined
 - a. The criterion or criteria by which the student qualified for ESYP.

NOTE: If a student qualified according to the critical point of instruction criterion, either the number 1 or 2 is the appropriate component.

b. In cases in which an ESY-IEP meeting was held to review and/or determine eligibility (Paragraph 10 above).

i. If the student is determined ineligible, "Ineligible" is checked and the reason this determination was made is to be documented. (This description/narrative is written on the ESY-IEP or on another page and attached to the ESY-IEP.) Blocks 1 through 11 are to be completed, participants of the meeting are to sign as participants in block 12, and the parent is to sign block 31 indicating agreement with the decision.

(a). If the student is found ineligible and the parent disagrees, indicate in the COMMENTS section or on another page and attach to the ESY-IEP, the reason the parent disagrees.

(i). The parent(s) must be informed of his or her due process rights and procedures.

(b). If the student is determined eligible, check the criterion/criteria by which s/he qualified.

c. In cases in which an ESY-IEP meeting is held to make an extenuating circumstances decision, see below.

i. If the student is determined ineligible, "Ineligible" is checked and the reason this determination was made is explained. (This description/narrative is written on the ESY-IEP or on another page and attached to the ESY-IEP.) Blocks 1 through 11 are to be completed, participants of the meeting are to sign as participants in block 12, and the parent is to sign block 31 indicating agreement with the decision.

(a). If the student is found ineligible and the parent(s) disagrees, indicate in the comments section or write on another page and attach to the ESY-IEP the reason the parent disagrees.

(i). The parent(s) must be informed of his or her due process rights and procedures.

(b). If the student is determined eligible, "Extenuating Circumstances" is checked. The narrative explanation must be written on the ESY-IEP or on another page and attached to the ESY-IEP.

12. ESY-IEP Participants

a. ESY-IEP team members who attend the conference sign and state their positions such as principal, coordinator, supervisor, physical therapist, assessment teacher, etc. Signatures in this section indicate attendance at the meeting, not agreement with the IEP. Participants must include the student's regular-school-year and ESYP teacher(s), parent(s), ODR, and student unless the parent(s) waives that right.

13. ESYP Needs

a. Describe the specific areas of current performance and specific needs the student has for

instruction and services during the ESYP based on the criterion/criteria by which the student qualified. For example, the student may need to use a calculator, respond to specific reinforcers, need certain prompts or cues, etc.

14. Selection of Goal(s) and Objective(s)

a. The regular school year IEP and the criterion/criteria by which the student qualified for the ESYP are the basis upon which the ESYP is written. There is a specific process to use in making decisions about the goal(s) and objective(s) for the ESYP, dependent upon the eligibility criterion/criteria used in determining the student eligible. Refer to the instructions for identifying goals(s) and objective(s) according to areas of eligibility before completing these blocks:

- i. regression-recoupment;
- ii. critical point of instruction;
- iii. self-injurious behavior;
- iv. employment;
- v. transition;
- vi. late entry;
- vii. excessive absences;
- viii. extenuating circumstances.

b. There is no minimum or maximum number of goal(s) and objectives to be identified for ESYP instruction. The number of objectives identified for the ESYP instruction is based on individual student need. The IEP team should carefully consider the purpose of extended school year services and the criterion/criteria under which the student qualified for ESYP. The major purpose of the ESYP is to extend instruction from the regular school year. The ESYP is not a program aimed at remediating all areas of deficit.

i. If the ESYP-IEP team identifies goal(s) and objective(s) from the regular school year IEP, write the educational needs code [i.e., A/C (Academic/Cognitive), B (Behavior), S (Social), H (Self-Help), C (Communication), M (Motor) and V (Vocational)] and objective number; then paraphrase the objective. Include enough specificity so that the skills and criterion level are evident.

ii. If the ESYP-IEP team determines that specific new goal(s) and/or objective(s) must be written, follow the process below.

(a). Write the education needs code [i.e., A/C (Academic/Cognitive), B (Behavior), S (Social), (Self-Help), C (Communication), M (Motor) and (Vocational)].

(b). Write a goal to be completed in the ESYP; then write complete objective(s) to meet the goal and number them. This goal(s) and objective(s) are for only the duration of the ESYP.

NOTE: If more space is needed when writing objectives, use another ESYP-IEP form. Indicate page of ___ on each page of the form and complete all identifying blanks at the top of the page especially #1-9.

15. Integration Important

a. The decision about the need for integration is based on each individual objective.

b. For example, it would be important to have integration with non-disabled persons to achieve an objective regarding grocery shopping at a local store. This objective would be implemented in the community where integration will take place. Write "yes" in the Integration Important block on the ESYP-IEP.

c. On the other hand, it may not be important to have integration in order to achieve objectives related to mathematical computations. This objective does not necessitate the presence of non-disabled peers/persons to work on mathematical problems. Write "no" in the integration important block.

d. Write "yes" or "no" for each objective to indicate whether it is important for the student to be integrated with non-disabled persons to achieve that objective.

16. Personnel Responsible

a. There is no rule as to the personnel who must implement an objective. That decision is made based on each objective.

b. Who is needed to work on the objective?

i. With integrated IEPs and team collaboration, it may be that the teacher can work on certain communication and motor skills during the ESYP and there is no need for the speech-language pathologist or OT to assist; or it may be that only the speech- language pathologist or OT is needed. It may be that the teacher needs consultation with the therapist, but there is no need for direct service. The decision is made objective by objective. Personnel responsible may be different for each objective.

c. Parent(s)/family/caregiver(s) should be involved in the student's ESYP program. The family/caregiver involved can be written in as personnel responsible in addition to the local education agency personnel. Consider the following questions.

i. Would the home environment facilitate functional practice?

ii. What is the child's usual summer environment during the instructional day (e.g., home, child care center)?

iii. Is the family/caregiver available and able to participate in the reinforcement of skills?

d. For each objective, write the title of the person(s) who will be responsible or implementing each objective(s) (classroom teacher, speech language pathologist, APE teacher, counselor, OT, PT, etc.). Abbreviations may be used, such as cl. tch., SLP, APE tch.

17. Settings

a. The ESYP-IEP team discusses the setting or settings where the extended school year program should take place. The team determines the best setting to implement the

ESY-IEP objectives. One or more settings may be selected, depending on the ESY objectives.

b. For example, an objective related to grocery shopping must be carried out in the community, whereas, an objective related to mathematical computation may be carried out in the home or at school.

c. The site selected must be reasonable. For example, if the parent(s) works, and there is nobody in the home, then home would not be a reasonable place to provide services.

d. The settings are numbered according to primary (1), secondary (2), etc. If a student will receive services in only one setting, the numeral one or a check (✓) is to be entered.

e. Examples

i. For a student who will receive services on the regular school campus, the numeral one or a check (✓) is to be entered.

ii. For a student who will be at school (most of the time) and in the community (2x/wk, or less time than at school), the numeral one is entered for "Regular School Campus" and the numeral two is entered for "Community." If time between the two settings will be about the same, it does not matter which is indicated as one or two.

18. Date ESYP to Begin

a. The ESY-IEP team should discuss things that may occur that will interfere with the student's attendance at the ESYP. There may be a family vacation scheduled, surgery may be scheduled at a certain time, or the student may be going to visit family out of state, etc. This information can then be taken into account in scheduling the ESYP.

b. The amount or duration of ESY services cannot be unilaterally limited for all students. However, when planning for many students it may be appropriate to consider the local education agency's summer calendar. The local education agency's summer calendar may not be available at the time of the ESY-IEP meeting, so the team may estimate the date to begin based on the duration of services determined to be needed by the student (#22 below).

c. For example, the team does not know the exact dates the local education agency will be open during the summer months, but school ends on May 31st and starts again in the fall on August 22nd. They have determined that a given student needs a program six weeks long to acquire identified skills (regression-recoupment is not a concern). Considering the need for a short break, the team indicates the date to begin as June 17th.

d. A different student in the same local education agency has serious regression-recoupment problems after a two-week break in instruction (indicated by data collected during the regular school year); therefore, the team indicated the date to begin as June 10th (only a one week break in order to avoid serious regression).

e. Date ESYP to End

1. To continue with the students used in the examples above;

2. the team indicated that the date to end the ESYP for the first student would be July 26th, thus giving that student a six-week program;

3. for the second student mentioned above, the team indicated August 8th as the date to end the ESYP so there would not be more than a two week break before the next school year began and little time for regression-recoupment problems.

19. Progress Report(s)

a. Indicate the intervals (e.g., every two weeks, four weeks, or a check (✓) at the end of the ESYP) at which time progress reports will be sent home. At a minimum, progress reports must be sent to the parent(s) within ten business days after the completion of the ESYP.

20. Instructional Resources Needed for ESYP

a. The team now determines the service(s) the student will need to receive during the ESYP. The ESY-IEP team has already determined the personnel needed to provide the service(s) (see Paragraph 17 above) and now the service(s) is indicated on the ESY-IEP.

b. If the teacher is the only person needed to implement the ESY-IEP objective(s), then only the special education instruction section will be completed.

c. If the teacher and physical therapist are needed to implement the ESY-IEP objectives, then *Special Education Instruction* and *Physical Therapy* (written in a blank space) are completed.

d. Spaces for Special Education Instruction, Speech/Language Therapy, and Adapted Physical Education are included on the form. Other services needed, such as Physical Therapy, must be written in a blank space provided on the form.

21. Duration

a. The team will determine the number of weeks needed to address the objectives and needs of the student. Indicate duration in weeks of how long each service will last. In making this determination, the following should be considered.

i. What is the longest period of time the student can go without instruction to avoid negative impact on his or her current skill level? (Use student performance data to make this determination such as, the Regression-Recoupment Summary Form data.)

ii. The student may need to acquire skills necessary to keep him/her in the least restrictive environment and needs only a few weeks to accomplish those skills.

iii. Refer to Paragraph 24 below regarding instructional focus of acquisition/fluency and maintenance.

b. Not all students need the same program length. The IEP is an individual, student-based decision.

c. There may be cases in which students must remain at a site longer than the time indicated on the ESY-IEP because of transportation difficulties. For example, the local education agency may not be able to run buses every 30 minutes to an hour in order to accommodate the various ESY programs of all the students. If this is the case, the student must be supervised. The need to remain at the site because of transportation difficulties is indicated in the comments section.

22. Individual/Group

a. When applicable, indicate whether services will be delivered on an individual basis or in a group.

23. Minutes/Session

a. The team will determine the amount of time per day needed to provide instruction on the ESYP objectives.

b. Consider these questions.

i. How long will it take to provide instruction on the ESYP objective(s)?

ii. If the community is a setting, how much time is needed to travel to instructional site(s)?

iii. What is the longest instructional period that will hold the student's attention?

c. For example, for three objectives for mathematical computation, the team decides the objectives can be addressed in 60 minutes. For one objective involving grocery shopping for five to ten lunch items, the team decides the objective can be addressed in 90 minutes.

d. Indicate the number of minutes per session it will take to work on the objective(s) identified for the ESYP. The number of minutes per session may be different for each service based on the amount of time needed to address the various objectives.

24. Sessions/Week

a. The team determines the number of sessions per week needed for the student to complete his or her ESY program.

b. Consider the following questions.

i. Is the instructional focus acquisition/fluency?

(a). If yes, consider an intensive instructional schedule that provides an opportunity for sufficient repeated practice to master the identified skills.

ii. Is the instructional focus maintenance?

(a). If yes, consider an instructional schedule that provides for periodic assessment of the student's skill performance over a longer period of time to assure and check for maintenance. For example, a student qualified under regression-recoupment, and the team determined that a schedule of two sessions/week for seven weeks could allow for maintenance of the skills/objectives and ensure

against regression-recoupment problems, since there would not be a lengthy break between the time school ends (spring) and before the next school year begins (fall).

c. Indicate the number of sessions per week for each service the student requires to meet the objectives. The sessions per week may be different for each service based on individual student need. Note frequency and duration of services.

i. It is the responsibility of the special education administration to schedule the specific days of the week and beginning and ending date options to accommodate each student's program. To any student that needs an extensive program, the local education agency must make available at a minimum a program such that the total length of breaks at the end of the school year and before the beginning of the next school year cannot exceed three weeks. This is not to be interpreted as a limit on the length of ESY programs but a minimum length of program to consider for a student who requires an extensive program. As indicated throughout this process, duration is based on the individual needs of the student.

25. Location

a. The location where services will be provided (both direct and related services). Setting should reflect location.

26. Primary Service Provider

a. The professional who will provide each listed service by title: e.g., teacher, speech-language pathologist, nurse, PT, social worker, counselor, etc.

27. Comments

a. This block should be used to add additional information needed to clarify issues concerning the student's ESY-IEP.

b. Examples

i. The student will remain on campus longer than specified on the ESY-IEP (minutes per day), in supervised activities, because of transportation issues.

ii. The parent(s) declined services because they are going on vacation, or are not happy with services, etc.

28. Procedural Safeguards

a. The parent/legal guardian places a check (✓) indicating s/he has received copy of the procedural safeguards.

29. Officially Designated Representative

a. The officially designated representative (ODR) of the local education agency must date and sign his or her name indicating the local education agency will provide the services agreed to on the ESY-IEP.

30. Parent Approves ESY-IEP

a. The parent/guardian/surrogate parent/competent major/student accepts the ESYP and signs and dates to indicate "fully informed consent."

31. Parent Declines ESYP

a. If the parent declines the extended school year program, write the reason the parent declined service(s) in the comments section and have the parent sign.

NOTE: If a parent indicates early in the ESY-IEP meeting that s/he does not want the student to attend the ESYP, the teacher with primary responsibility must complete only 1-12 and write the reason for declining. The parent must sign the form.

b. If the parent(s) is not satisfied with ESY-IEP programming decisions and consensus cannot be reached, the parent(s) must be informed of his or her due process rights and procedures.

32. Transportation

a. Just as during the regular school year, transportation must be offered in cases in which it is necessary. As with other services, the IEP team should recommend transportation services in the least restrictive, most appropriate mode available. The transportation recommended must be reasonable and at no cost to the parent(s).

b. For example, it would not be reasonable for the only offer of transportation to be parental reimbursement if the parent works or does not have a car. Mileage reimbursement may be used as a transportation option only if the parent(s) is willing to transport his or her son/daughter.

c. Circle "yes" if transportation is to be provided for the student and describe the type (e.g., school bus, contracted carrier, parental reimbursement).

d. Circle "no" if there is no need to provide transportation (e.g., the student chooses to walk to school).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2007 (September 2004).

§707. Selection of Goal(s) and Objective(s) for Students Eligible by Regression-Recoupment Criterion

A. The ESY-IEP team must remember that the intent of regression-recoupment criterion is to provide instruction to students who regress to a lower level of educational functioning because of the interruption in the educational program and for whom the reacquisition of these lost skills is slow. In identifying objectives for ESYP instruction for students who meet the criterion, the ESY-IEP team must keep in mind that the focus of this criterion is on the maintenance and/or reacquisition of skills.

B. The ESY-IEP team should follow this sequence to select objectives for ESY instruction.

1. Look at the targeted/circled objectives. If the student has not mastered or maintained these objectives, the

ESY-IEP team must determine whether instruction on these objectives should be continued during ESYP.

2. Look at other objectives on the regular school year IEP that the student has not mastered and which require instruction for the student to continue his or her educational program without the loss of essential skills. The ESY-IEP team should carefully review the student's pattern of regression-recoupment problems and determine which of these objectives should be addressed during the ESYP. For example, did the student regress in a particular curricular area (e.g., communication, self-help, motor)? The team may decide to identify other essential objectives in that area.

3. If the student has mastered all objectives on his or her regular school year IEP since the screening date, and if the ESY-IEP team feels that ESYP instruction is necessary because of a pattern of regression-recoupment problems, an objective(s) that focuses on maintenance of essential skills during the ESYP must be written.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2011 (September 2004).

§709. Selection of Goal(S) and Objective(S) for Students Eligible by Critical Point of Instruction Criterion

A. For students who qualify according to the critical point of instruction criterion, the ESY-IEP team must examine the specific component area in order to determine which objective(s) to identify. They should follow the process specified under each component.

B. Critical Point One: Least Restrictive Environment

1. During the screening process, the teacher/instructional personnel identifies the skill(s) the student must have to prevent an increase in special education instruction time/loss of time in general education for the student.

a. If the teacher/instructional personnel determines that the skill(s) needed to prevent the student's increase in special education instruction time/decrease in general education time is included in the objectives on the regular school year IEP, the IEP team identifies those objectives for ESYP instruction.

b. There may be instances in which the teacher/instructional personnel reviews the regular school year IEP and determines that the skill(s) needed to prevent the student's increase in special education instruction time/decrease in general education time is/ or not on the IEP. It is only in these instances that the ESY-IEP team may write a new goal(s) and objective(s) related to the skills necessary to prevent a loss in general education time or increase in special education service time. The goal(s) and objective(s) are for the duration of the ESY program only.

C. Critical Point Two: Critical Self-Help, Community Access, Social/Behavioral Skills

1. During the screening process, the teacher/instructional personnel identified the critical self-help skill(s), critical community-access skill(s), and/or critical social/behavior skill(s) that needed to be mastered or maintained during the ESYP.

a. The ESY-IEP team identifies the critical skill(s) in need of acquisition or maintenance from the regular school year IEP.

b. There may be instances in which the ESY-IEP team determines there is another skill(s) the student needs to master or to maintain in order for him/her to master the critical skill(s) identified for the ESYP instruction. It is only in these instances that the ESY-IEP team may write a new goal(s) and objective(s) to address this skill. The goal(s) and objective(s) are for the duration of the ESY program only.

2. Examples

a. A student is addressing training in use of the public transportation system. However, being exhibited are challenging behaviors that are not addressed on the regular school year IEP. The team writes a new goal and objective(s) to be completed during the ESYP, specific to the challenging behavior(s) exhibited on the city bus system.

b. A student is maintaining a grocery shopping skill during the ESYP. The ESY-IEP team determines that the student should take the city bus from home to the shopping site. City bus transportation skills are not addressed on the regular school year IEP. The ESY-IEP team writes a new goal and objective(s) to address use of the city bus to go from home to the shopping site.

c. In these instances, the ESY-IEP team should carefully consider inclusion of a similar goal(s) and objective(s) on the regular school year IEP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2012 (September 2004).

§711. Selection of Goal(s) and Objective(s) for Students Eligible by Self-Injurious Behavior Criterion

A. During the screening process, the teacher/instructional personnel determined the student needed support to reduce, or maintain at a lower level, self-injurious behavior. Based upon a review of the behavior intervention plan, the ESY-IEP team should focus on the need for continued intervention.

1. If the ESY-IEP team determines that the regular school year IEP has objectives specific to the reduction of the self-injurious behavior or maintenance of appropriate behaviors, the team must identify those objectives for ESYP instruction.

2. If the ESY-IEP team determines that the regular school year IEP does not have objectives specific to the self-injurious behavior, the team must write a new goal(s) and objective(s) for the ESYP. The goal(s) and objective(s)

must be based upon the documentation used in determining the student eligible for ESYP.

a. In these instances, the ESY-IEP team should carefully consider inclusion of a similar goal(s) and objective(s) on the regular school year IEP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2012 (September 2004).

§713. Selection of Goal(s) and Objective(s) for Students Eligible by Employment Criterion

A. During the screening process, the teacher/instructional personnel determined the student needs support to maintain paid employment.

1. The ESY-IEP team identifies from the regular school year IEP the objectives that are specific to the paid employment. The ESY-IEP team identifies these objectives for the ESYP instruction.

2. If there are no objectives specific to the paid employment, the ESY-IEP team must write a new goal(s) and objective(s) specific to the needs related to maintaining that employment during the summer months.

B. The ESYP needs (block #13 on the ESY-IEP) must identify the specific employment site and the skills for which the student needs support to maintain the paid employment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2012 (September 2004).

§715. Selection of Goal(s) and Objective(s) for Students Eligible by Transition Criterion

A. During the screening process, the teacher/instructional personnel determined the student needs to have the transition services page of the IEP completed. The ESY-IEP team is to use information from the regular school year individualized transition services page and related IEP objectives in developing the ESY-IEP instructional plan. The ESY-IEP team should include members of the transition service page team.

B. In developing the extended school year instructional plan, the team plans according to the following procedures.

1. The ESY-IEP team must examine IEP objective(s) related to the local education agency transition services page, which needs to be completed. The team must write a goal for the completion of the action step(s).

2. The objective(s) on the IEP, which is related to the action step(s), is identified for ESY instruction and written on the ESY-IEP.

C. The ESYP needs (block #13 on the ESY-IEP) section of the ESY-IEP should include description of the student's specific need for services related to action steps.

NOTE: A new transition services page does not have to be written for the ESYP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2013 (September 2004).

§717. Selection of Goal(s) and Objective(s) for Students Eligible by Excessive Absences and Late Entry Criteria

A. For a student eligible for ESYP services according to the excessive absences or late entry criteria, the focus of the ESYP is on the high priority goal(s) and objectives. The ESYP team must identify areas that will keep the student on track when school starts in the fall.

1. The ESYP team must identify objective(s) from the regular school year IEP for instruction during the ESYP.

2. The objective(s) selected must be high priority in that failure to continue instruction/progress will jeopardize the probability of the student's successfully completing IEP goals and objectives and reaching his or her long-term educational goal.

B. These criteria are the only cases in which the team must identify objective(s) from the regular school year IEP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2013 (September 2004).

§719. Selection of Goal(s) and Objective(s) for Students Eligible by Extenuating Circumstances

A. The teacher/instructional personnel has screened the student under all criterion/criteria that are applicable; however, the student did not qualify according to any of the criteria. The ESYP team has reviewed the data/instructional performance information and agreed that it indicates the student is in need of an extended school year program.

B. The teacher/instructional personnel has articulated the need to extend the school year for the student based on the guidelines of one or more of the ESYP criteria, even though the student does not meet all specifications of the criteria. The ESYP team must then follow the process for selecting objectives according to that criterion/criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2013 (September 2004).

§721. A Quick Review-Planning

A. An ESYP must be written for students eligible for the ESYP prior to the beginning of the program.

B. Objectives are identified for ESYP instruction based upon the criterion or criteria by which the student qualified.

C. The ESYP program must be individually designed. The duration of the program, number of sessions per week, and amount of time per session are to be determined at the ESYP meeting and based on the individual student's need according to the objectives identified.

D. Transportation for the student must be offered to the parents in cases when it is needed. The offer(s) must be reasonable.

E. An ESYP meeting must be held when parents question the determination that their child is ineligible for ESYP.

1. If consensus cannot be reached and the parent(s) disagrees with the teacher/instructional personnel decision (regarding eligibility or programming), s/he must be informed of his or her due process rights and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2013 (September 2004).

Chapter 9. Strategies for Implementation and Evaluation of the ESYP Program: Site Selection; Integration; Record Keeping

§901. Overview

A. Once a student's extended school year program has been planned through the extended school year IEP process, the program must be implemented. Provision of the ESYP requires consideration of both individual student needs and administrative concerns. During the regular school year, local education agencies operate all schools within their jurisdiction, while serving students in extended school year programs only a limited number of schools are in full operation, the number of full time staff members is reduced, and other limiting factors are in effect.

B. Although ESYP may present operational problems, local education agencies must provide all services to students as described on the ESYP. To the maximum extent possible, local education agencies must provide extended school year instruction in a setting(s) that contributes to the student's integration and that is the least restrictive environment option for that student. The services necessary to meet the goals and objectives of the ESYPs are to be provided.

C. Careful records should be kept in order to evaluate the student's performance and progress toward the completion of the ESYP goals and objectives. Accurate records of student performance will assist the IEP team in the upcoming school year to continue the educational program with a minimum of interruption and disruption.

D. As during the regular school year, the ESYP team must document instructional activities on lesson/activity plans. Ongoing student performance assessment is always an integral part of any educational program; it should be

documented on appropriate data collection forms (e.g., grade book, checklist, task analysis form) and progress reports.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2013 (September 2004).

§903. Implementation

A. Local education agencies shall continue to address LRE factors, including integration with non-disabled persons, in the implementation of the ESYP program.

1. Whenever possible, ESYP services must be offered in the same site(s) as age appropriate regular summer school programs. (This handbook contains a description of administrative responsibilities.)

2. The ESY-IEP team must consider traditional and non-traditional approaches to achieve integration with non-disabled persons for those objectives on the ESY-IEP for which integration is indicated to be important.

a. The ESYP IEP team must review the ESY-IEP objectives requiring integration with non-disabled persons and must generate a plan of action to achieve the integration. Administrative and instructional personnel must work together to implement this plan.

b. If the student is on a regular school campus with non-disabled students, there may be activities that would accommodate the need for integration (e.g., breakfast, recess, reading class, etc.).

c. The mere presence of students with and without disabilities on the same campus does not ensure integration. Lesson/Activity planning must be used to assure that objectives requiring integration are addressed.

d. If integration on a regular school campus is not possible, the IEP team must be creative and find opportunities/activities to provide the integration necessary to meet the objectives. Some examples may be as follows:

- i. use of the local library and summer activities;
- ii. providing services at the day care center the student regularly attends;
- iii. including neighbors/friends in instructional sessions;
- iv. use of the local gym/park/recreation facilities, etc.

3. Documentation of integration activities are to be included in the lesson/activity plans. (Sample Lesson/Activity Plan Forms on file at the department.)

B. Local education agencies shall ensure that the services listed on the ESY-IEP are provided.

1. Local education agencies must provide the service(s) needed to implement each student's ESY-IEP.

a. Service provision to students during the ESYP is documented on the student's ESY-IEP in the instructional

resources needed for ESYP section: for example, classroom instruction, APE, OT, PT, speech/language therapy, counseling, etc.

b. The ESY-IEP team will decide when, where, and how the services will be provided.

c. NOTE: If there are differences in the services provided from what are indicated in the instructional resources needed for ESYP section of the ESY-IEP, the director/supervisor of special education is responsible for describing these differences in the ESYP outcome report.

d. The parent must be consulted and notified of any modification(s) to the ESY-IEP.

2. Local education agencies must employ sufficient staff to meet the ESY-IEP requirements for each student. (This handbook contains a description of administrative responsibilities.)

C. Local education agencies shall ensure that instructional activities conducted during ESYP are documented.

1. Local education agencies must encourage the instructional staff to work cooperatively to plan instructional activities for each student during the ESYP.

a. Cooperation and coordination among IEP team members are encouraged so that each student will benefit from consistent instruction and have an increased likelihood of success.

b. The coordination of instructional staff efforts may be accomplished by jointly writing instructional plans. Specific activities may also be taught as a joint endeavor with the data collected cooperatively. In this manner, the instructional activities planned for the student will be consistent and continuous. The cooperative efforts of instructional staff members may be documented in one of the following ways: in lesson plans/activity plans, joint data collection forms, conference records, team meeting notes, etc.

2. Local education agencies must require that the instructional staff maintain accurate records of ESYP instructional activities.

a. As during the regular school year, it is necessary to update records/collect instructional data regularly to indicate whether the student is making progress in acquiring, maintaining, and/or mastering skills outlined in his or her goals and objectives. It is equally important to record information when the student has not made projected progress, since instructional strategies may need to be re-examined. Accurate records are important for reference by the IEP team in the subsequent school year.

b. The ESY teacher may find it helpful to use the same data collection forms and strategies as used in the regular school year teacher. This practice would also facilitate the transfer of information back to the regular school year teacher.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2014 (September 2004).

§905. Evaluation

A. Local education agencies shall ensure that instructional personnel measure and report student outcomes.

1. Progress reports must be disseminated to parents at the intervals specified on the ESY-IEP. Typically, a progress report from the ESYP is provided to parents within 10 business days following completion of ESY services.

2. Copies of ESYP progress reports must be maintained in the student's IEP file along with the usual/normal ongoing data collection.

B. Local education agencies shall evaluate ESYP outcome data to determine program effectiveness.

1. Program operations must be examined to determine the effectiveness of ESYP.

a. Effectiveness should be reflected in the match between the needs of the student and the program services provided.

b. Local education agencies should examine the overall effectiveness of the program provided to all students in order to assist the agency in future planning.

2. Program effectiveness is evaluated from the individual student perspective, as well as system wide.

C. Local education agencies shall report ESYP data in accordance with state-mandated procedures.

1. The ESY outcome data must be collected and reported no later than October 15. (A sample format and directions are on file at the department.)

2. The ESYP Outcome Report (on file at the department) has two purposes:

a. to provide the format for collecting outcome data on individual student performance during the ESYP (Section I, Student Performance); and

b. to serve as a means of evaluating overall program effectiveness (Section II, Program Evaluation).

i. The ultimate responsibility for reporting the ESYP outcome data to the SDE rests with the director/supervisor of special education; however, instructional personnel are responsible for reporting student outcomes to the director/supervisor.

ii. The portion of the ESYP outcome report for which instructional personnel have responsibility is that which includes information on student performance during the ESYP and on the services provided to students during the extended school year program (Section I, Student Performance).

iii. The director/supervisor must ensure that outcome data on students are entered into the Louisiana Network for Special Education Records (LANSER) by October 15th each year.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2014 (September 2004).

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