



*Rhode Island Department  
of  
Education*

*Extended School Year  
Standard*

*Rhode Island Department of Education  
255 Westminister Street  
Providence, RI 02903  
[www.ride.ri.gov](http://www.ride.ri.gov)  
February 2009*

## **State of Rhode Island and Providence Plantations**

Donald L. Carcieri, Governor

### **Rhode Island Board of Regents for Elementary and Secondary Education**

Robert G. Flanders, Jr., Esq., Chairman  
Patrick A. Guida, Esq., Vice Chairman  
Colleen A Callahan, Secretary  
Amy Beretta, Esq.  
Anna Cano-Morales  
Judge Frank Caprio  
Angus M. Davis  
Karin Forbes  
Betsy P. Shimberg

### **Rhode Island Department of Elementary and Secondary Education**

Peter McWalters, Commissioner

Kenneth G. Swanson, Director  
Office for Diverse Learners

### **Acknowledgements**

*The Rhode Island Department of Education gratefully acknowledges the contribution of parents, teachers, administrators, and agency representatives in the development of the RI Extended School Year Standard.*

# The Rhode Island Department of Education Extended School Year (ESY) Standard

## Introduction:

The Individuals with Disabilities Education Act 2004 and the RI Regulations Governing the Education of Students with Disabilities July 1, 2008 continue to address the relationship between the Individualized Education Program (IEP) and the provision of extended school year services. Under these regulations, extended school year services are provided when a child's IEP team determines, on an individual basis, that the services are necessary for the provision of a Free Appropriate Public Education (FAPE). The IEP team decision for extended school year services is based upon the unique needs of a child with a disability and supported by data. These standards are designed to meet the requirements of RI Regulations Governing the Education of Children with Disabilities, July 1, 2009, § 300.106 (b) (2) Extended School Year Services:

### (a) *General.*

- (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a) (2) of this section.
- (2) Extended school year services must be provided when a child's IEP team determines, on an individual basis, in accordance with §300.320 through §300.324, that the services are necessary for the provision of FAPE to the child.
- (3) In implementing the requirements of this section, a public agency may not—
  - (i) Limit extended school year services to particular categories of disability; or
  - (ii) Unilaterally limit the type, amount, or duration of those services.

### (b) *Definition.* As used in this section, the term extended school year services means special education and related services that—

- (1) Are provided to a child with a disability—
  - (i) Beyond the normal school year of the public agency;
  - (ii) In accordance with the child's IEP; and
  - (iii) At no cost to the parents of the child; and
- (2) Meet the RI Department of Education Extended School Year Standards as adopted by the RI Board of Regents

## Rhode Island Standard for Extended School Year Services

Each child with an IEP should be considered for ESY services as part of the Local Education Agency's (LEA) requirement to make available a FAPE. The IEP team determination is based upon the unique needs of the child and made to ensure that the child is provided FAPE.

### Regression and Recoupment Analysis

I. Extended school year services eligibility is determined by the IEP team through regression and recoupment analysis of the severity of academic achievement and/or functional skill regression (loss) a child experiences as a result of an interruption in special education services, the amount of time required to recoup (regain) the prior level of skill, likelihood of retention of learned skills, rate of progress during the school year, and whether meaningful progress on IEP goals is likely to be significantly jeopardized if ESY services are not provided.

- a. IEP team decisions regarding extended school year services are based upon a variety of data including retrospective data, predictive data, peer reviewed research, evidenced based best practice and other critical factors.
- b. IEP team considerations include, but are not limited to the following possible factors when determining the child's individual need for ESY services:
  1. the nature and/or severity of the child's disability;
  2. the child's rate of learning;
  3. the degree of progress towards IEP goals and objectives or for children transitioning from Part C services (Early Intervention) to Part B services, consideration of the degree of progress toward Individual Family Service Plan (IFSP) outcomes;
  4. the child's stereotypic, ritualistic, aggressive or self injurious interfering behaviors;
  5. the physical needs of the child;
  6. emerging skills and breakthrough opportunities;
  7. the ability of the child to interact with typically developing peers;
  8. the child's post-school outcomes and vocational needs;
  9. other special circumstances as determined by the IEP team
- c. ESY instruction is focused on those specific IEP goals and objectives severely impacted by extended breaks in instruction.