

Section 4: Other Factors that Must be Considered

1) Determination of the need for ESY services must be based on data.

As in all IEP decisions, the IEP Team must base ESY decisions on data.

Data sources may include (but are not limited to):

- a) Progress monitoring data on IEP goals and objectives.
- b) Data recorded and provided by parents.
- c) Data from another school district that the student attended.
- d) Reports from outside agencies and professionals.
- e) Interviews with present and past teachers or service providers, the parents, and the student.
- f) Medical records indicating that the student has experienced significant trauma making the need for services immediate.
- g) Data that indicate continuous or year-round programming is an integral part of the teaching methodology used with the student.
- h) Vocational or pre-vocational assessments.
- i) Medical records that indicate an immediate need for services that cannot wait until after a break.
- j) Data that indicate loss of access to on-the-job training will potentially result in significant delays in mastering critical pre-vocational or vocational skills.
- k) Professional peer-reviewed literature in the goal area(s) of concern that provides research substantiating a critical stage in learning and that this learning must occur without delay.
- l) Developmental standards within the goal area(s) of concern that indicate the student is at a critical stage of learning.

Potentially, the most useful data available will be the progress monitoring data on current IEP goals and objectives. Well-designed IEPs have goals and objectives that are specific and measurable, use action words, and are realistic, relevant, and time-limited.

Goals and objectives that have clear descriptions of the skills and/or knowledge to be taught and how the student's progress will be measured.

'Measurable' means that it can be counted or observed. Measurable goals and objectives enable IEP Teams to know how much progress the student is making at each measurement interval.

'Using action words' means having three components to the goals and objectives:

- 1) The desired direction of the behavior (e.g. increase, decrease, maintain).
- 2) The specific area of need (e.g. reading skills, communication skills, self-care skills).
- 3) The target level of attainment (e.g. performs skill without assistance, reads 100 words per minute correct in grade level text).

'Realistic and relevant' means that the goals and objectives address the student's unique needs that result from the disability.

'Time-limited' means that measurement intervals will be meaningful and short enough to make appropriate educational decisions based on the data.

The time to think about documenting the need for ESY services is at the start of the school year rather than at the end. Procedures for measuring progress should be sensitive enough to determine the effects of breaks in instruction that occur during the school year.

At a minimum, the IEP Team should collect progress monitoring data about the student's performance at baseline, intermediate, and end-point intervals of the IEP.

Consider gathering progress monitoring data about the student's performance after long weekends, winter, and spring breaks.

Consider making measurements at these times: at the end of instruction (i.e., the end of the current school year); at the beginning of the subsequent instruction (i.e., the beginning of the next school year); and at the time of recoupment (i.e., the date of regaining skills that have been attained by the end of the previous school year).

More frequent, ongoing progress monitoring may be more useful in making ESY decisions (as well as ongoing instructional decisions).

In the event that the need for ESY services or the characteristics of those services are not known at the time of the annual IEP meeting, the IEP Team can identify the date it will reconvene to determine the need and services to be provided. The IEP Team may also plan what data should be gathered to assist in making later determinations. An addendum documenting any changes may be completed and attached to the current IEP.