ESY—WHY NOW?

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CONSIDER:

There isn’t any better time to collect data to answer the ESY question than during the fall.
THE ESY QUESTION

- Has the student exhibited (or is the student expected to exhibit)
- Severe or substantial regression
- In a critical skill addressed in the IEP
- That cannot be recouped “during the first eight weeks of the... school year”?

19 TAC 89.1065
Severe or substantial regression means that the student has been, or will be, unable to maintain one or more critical skills in the absence of ESY services.

19 TAC 89.1065(2) (emphasis added)
19 TAC 89.1065(4) provides that a skill is critical when the loss results (or may result) in any of these during the first 8 weeks:
A skill is critical if the loss results in:

Placement in a more restrictive instructional arrangement during the first 8 weeks of the school year.
A SKILL IS CRITICAL IF THE LOSS RESULTS IN:

Significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum during the first 8 weeks of the school year.
A SKILL IS CRITICAL IF THE LOSS RESULTS IN:

Significant loss of self-sufficiency in self-help evidenced by an increase in the number of staff or time required to provide services during the first 8 weeks.
A SKILL IS CRITICAL IF THE LOSS RESULTS IN:

Loss of access to community-based independent living skills instruction or independent living environment provided by non-ed. sources as a result of regression during the first 8 weeks of the school year.
A skill is critical if the loss results in:

Loss of access to on-the-job training or productive employment as result of regression in skills during the first 8 weeks of the school year.
REGRESSION

To determine whether regression occurred Districts need data concerning student performance during the first 8 weeks of the school year.
RECOUPMENT

Data should reflect a student’s acquired skills have ‘rebounded’ no later than 8 weeks into the year... for Districts starting on 8/25... this period should be complete around 10/20.
DATA SOURCES—COMPARE LAST YEAR TO THIS YEAR

• Formal evaluation
• Informal data collection
• Parent input concerning critical skills
• IEP progress reports
DATA SOURCES—COMPARE LAST YEAR TO THIS YEAR

• Service logs
• CBA’s
• Participation in CBI
• Access to non-ed. Agencies, OTJ training or employment
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