



SEALK12

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ESY

Extended School Year

# ADDITIONAL DETAILS:

Extended School Year



CODE OF FEDERAL REGULATIONS

34 CFR 300.106



WASHINGTON  
ADMINISTRATIVE CODE

WAC 392-172A-02020

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**ESY**

ESY is the abbreviation for Extended School Year



# What is the Difference?

## **EXTENDED SCHOOL YEAR (ESY)**

Provided under the Individuals with Disabilities Education Act (IDEA) for students who qualify for Special Education and Related Services.

## **SUMMER SCHOOL**

Summer School is not a requirement and is not limited to students who qualify for Special Education and Related Services. A cost to the parent could be involved.

## **COMPENSATORY EDUCATION**

Not listed in IDEA Regulations. It is a 'remedy' in case law and there is no 'calculation' for minutes

**The term Extended School Year means Special Education and Related Services that are provided to a student with a disability:**

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graph TD; A["The term Extended School Year means Special Education and Related Services that are provided to a student with a disability:"] --- B["Beyond the normal school year"]; A --- C["Follows the student's Individualized Education Program (IEP)"]; A --- D["At no cost to the parent"];
```

Beyond the  
normal school  
year

Follows the  
student's  
Individualized  
Education  
Program (IEP)

At no cost to  
the parent



## ESY ON AN INDIVIDUAL BASIS

“Extended school year services must be provided only if 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.”

34 CFR 300.106 (a) (2)

“In implementing the requirements of this section, a public agency may not:

- Limit extended school year services to particular categories of disability or
- Unilaterally limit the type, amount, or duration of those services”

34 CFR 300.106 (a) (3) (i) (ii)

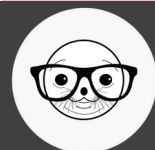
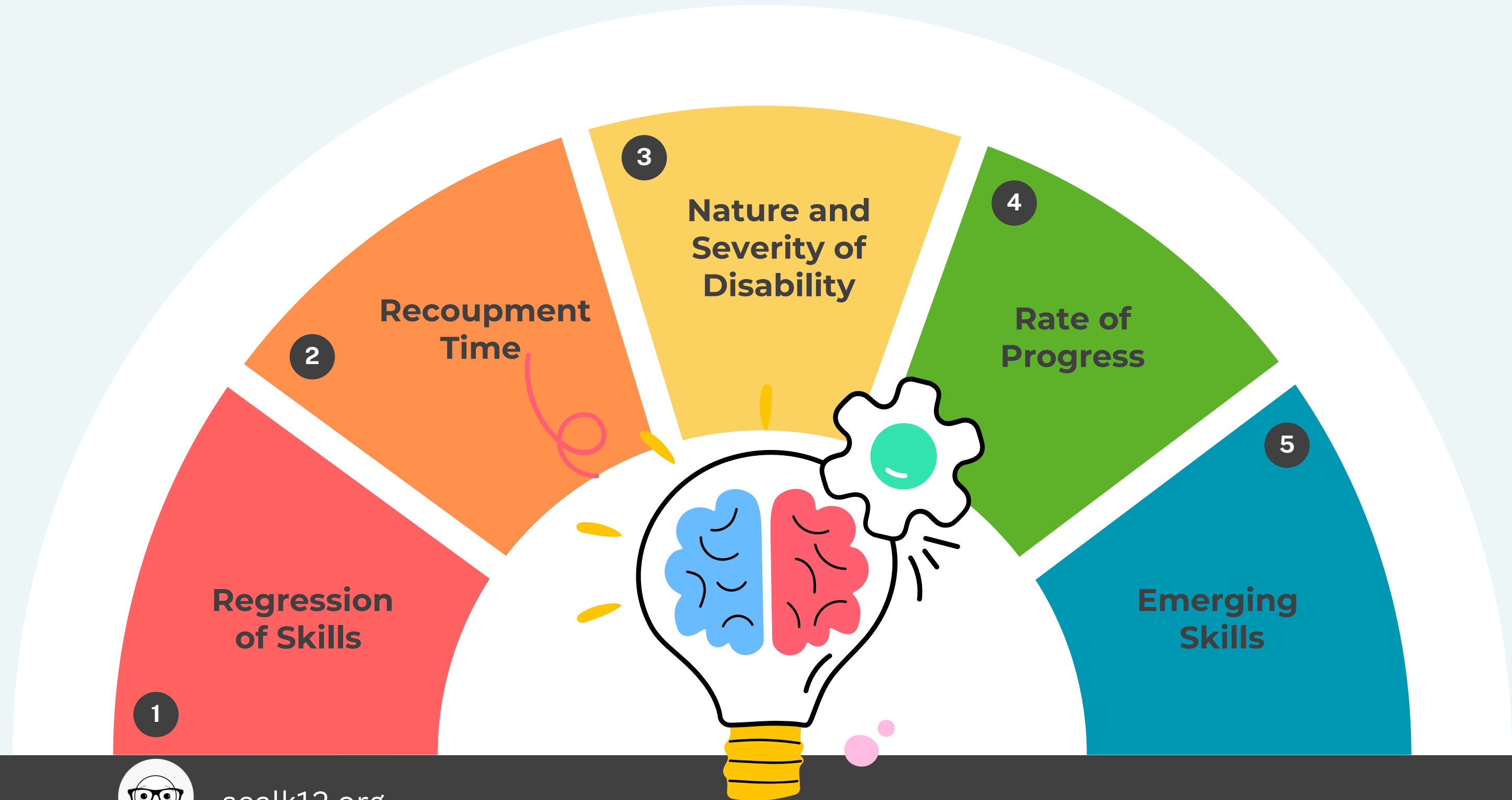


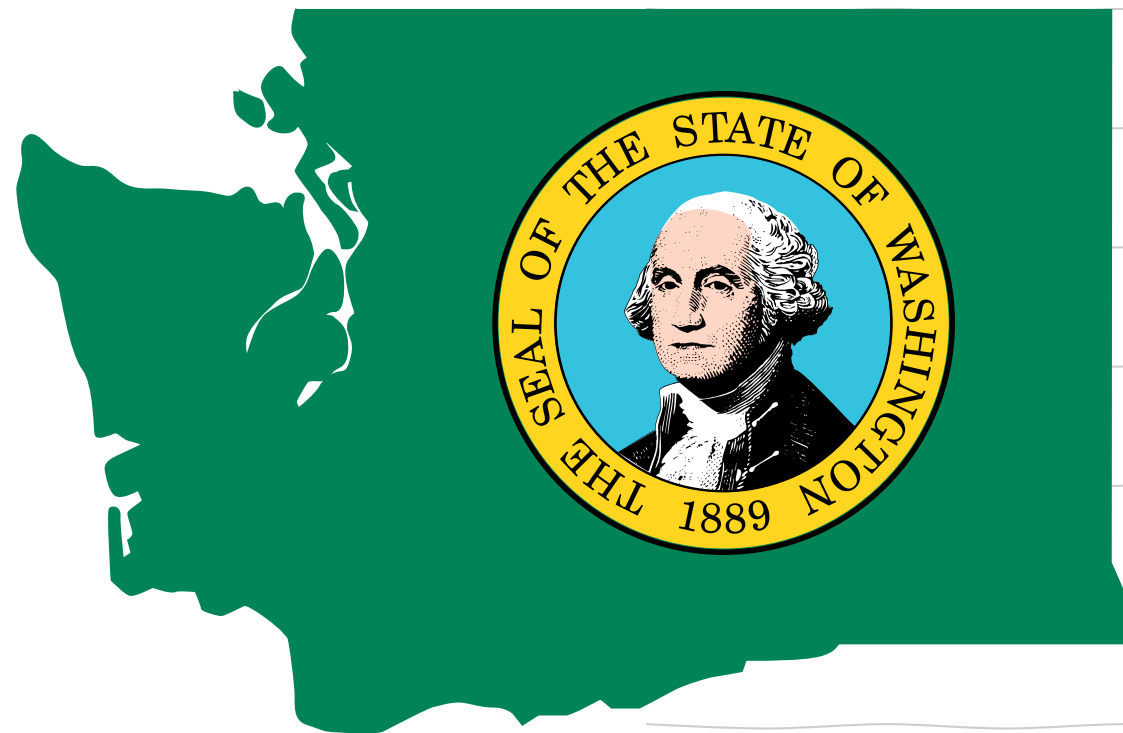
The IEP team's decision for ESY should be based upon regression and recoupment time based on documented evidence, or on the determinations of the IEP team, based upon:

- Professional judgment of the team
- Consideration of factors including the nature and severity of the student's disability
- Rate of progress
- Emerging skills

# Determining the Need for Extended School Year (ESY)

WAC 392-172A-02020





## Regression

Regression means significant loss of skills or behaviors if educational services are interrupted in any area specified on the IEP.

Washington Administrative Code  
WAC 392-172A-02020 (7)(a).

## Recoupment

Recoupment means the recovery of skills or behaviors to a level demonstrated before interruption of services specified on the IEP.

Washington Administrative Code  
WAC 392-172A-02020 (7)(b).



# EXTENDED SCHOOL YEAR (ESY)

## Recommended Basis Determination

1. The benefits that the student gained during the regular school year would be significantly jeopardized if the student is not provided with educational services.
2. The student would experience severe regression, which would result in substantial skill loss that would seriously impede the student's progress toward educational goals. (Data showing regression from school breaks such as Thanksgiving, Long Weekends, Winter, and Spring breaks, etc...and recoupment time).
3. The student is unlikely to relearn critical skills and information or have another opportunity to generalize these skills to other situations. This would include students with unique needs.



## OSPI SAYS...

“Data collection should focus on determining:

- whether the student regresses when there is a break from school;
- which target IEP skills or behaviors have a significant loss if educational services are interrupted;
- length of time for the student to recoup skills; and/or
- whether the student received private services over the break, and if so, what type of services and for what frequency/duration.”



## OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (OSPI), SPECIAL EDUCATION MONTHLY UPDATE, JANUARY 2022.

Data collection should focus on determining:

- Whether the student regresses when there is a break from school
- Which IEP skills or behaviors have a significant loss if education services are interrupted
- Length of time for the student to recoup skills
- Whether the student received private services over the break, and if so, what type of services and for what frequency/duration

# DID YOU KNOW?!

## MYTH

Extended School Year (ESY) hours are determined based on a district formula.

## FACT

Extended School Year (ESY) is not a formula to determine how many hours of ESY a student receives.





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# EXTENDED SCHOOL YEAR (ESY)

## NOT SUMMER SCHOOL

Determined by the IEP team on an **individual** basis.

The IEP team decision is based on regression and recoupment time based on documented evidence or on the determinations of the IEP team, based on professional judgment, emerging skills, rate of progress and consideration of factors.

# DID YOU KNOW?!

## MYTH

Extended School Year (ESY) services are predetermined by the school district so as to fit within the ESY program.

## FACT

Extended School Year (ESY) services are determined by the student's IEP team according to the student's individualized needs.





# Extended School Year (ESY) At a Glance

- ▶ ESY is not to teach a new skill or behavior.
- ▶ ESY can take place anytime of the year. It is not limited to summer break.
- ▶ ESY is required to be addressed (adequately addressed) during an Individualized Education Program (IEP) meeting. Having 'the box' for ESY already marked as 'NO' on the IEP is not adequately addressing ESY.



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*Remember:*

ESY is an **IEP team decision** based on professional judgment that can be made at **anytime**.



**T H A N K Y O U**