

Extended School Year (ESY) consists of special education services that are provided to a student with a disability during extended school breaks. These services assist the student in working toward the same goals and objectives that the student works on during the regular school year.

ESY services are necessary when a child will experience significant regression in the absence of an educational program and the time it will take to relearn the skills is excessive, referred to as the regression/recoupment model (Individuals with Disabilities Education Act (IDEA) and California Code of Regulations section 3043). If a student is in a critical stage of learning a skill that could lead to a greater level of independence, and interruption of instruction would cause loss of the current level of skill development, ESY should be considered by the IEP team (*Reusch v. Fountain, 1994*).

A student may require ESY services in one or more areas of their regular school year program. In addition, ESY services do not need to be provided in the exact same manner (i.e., number of hours, frequency, location) as services during the regular school year. Instead, the IEP team should consider the student's identified area(s) of need and make ESY service decisions accordingly.

The extended school year program must be provided for a minimum of 20 instructional days. ESY needs to be the same length of time as the school day for students of the same age level attending summer school in the LEA in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the individualized education program to meet a student's unique needs. The specialized academic instruction and related services offered during the ESY period must be comparable in standards, scope, and quality to the special education program offered during the regular academic year.

The IEP team must review the student's progress, considering a variety of measurements to provide a baseline that documents the student's rate of regression and recoupment related to their IEP goals/objectives. In order to identify students who are eligible for ESY, a best practice approach would include taking data on IEP skill

performance within the last 1-2 weeks of the school year and after the first 6-8 weeks of school as soon as students return to school. This data comparison will inform the IEP team whether the student has recouped regression occurring from the summer break. If pre- and post-data is not available before and after the summer break, service providers may also consider the following methods:

- Take data on IEP goal skill performance on the final day or two before a break greater than five school days. Then, gather data on the same IEP goal skills within a day or two of the student's return from break.
- Take data after an interval equal to the length of the break (e.g., take data 14-16 days after a return from a two-week break).
- Evaluate the data. If the student has regained the skills they lost, the data does not establish a need for ESY. If the student has not yet regained the level of skill demonstrated before the break, the IEP team may conclude that the student requires ESY.

[North Region SELPA ESY Eligibility Worksheet](#)

Emerging skills can be identified if a student is observed to have slow progress toward the acquisition of a skill followed by sudden progress in the days or weeks before the break. The purpose of ESY in these cases is to enable the student to practice the new skills so as not to lose the learning that has recently been attained.

A discussion regarding ESY eligibility must occur at least annually, preferably during the annual IEP meeting. However, if the IEP team did not address ESY eligibility at the last annual or most recent IEP meeting, the team must convene to determine eligibility and/or services prior to the LEA's summer break. The team must include all required members including but not limited to the general education teacher, the special education teacher, the parent, and the administrative designee. Additional IEP team members may be included as necessary.

<https://www.cahelp.org/educators/edresources/esy-faqs>