

What is ESY?



Extended school year (ESY) services are special education services provided when school's not typically in session. This is often during the summer break. For some children it can also be during other extended breaks like winter vacation.

How is eligibility for ESY determined?

The decision about the need for ESY is individualized, and needs to be discussed each year by the child's Individualized Education Program team (IEP).

What factors must be considered?

Critical Life Skills:

The IEP team must decide which goals on the IEP are 'critical life skills.' Critical life skills are not defined in the law. They're normally viewed as skills that are critical to the student's overall educational progress. The IEP team should carefully consider each of the student's IEP goals to determine if they are critical, or important, to the student's learning.

Regression and Recoupment:

Each of these factors are also considered annually. *Regression* refers to losing skills. *Recoupment* refers to the time needed to relearn the skills.

The IEP team must consider whether there's "a likelihood of substantial regression (losing skills) of critical life skills caused by the normal school break in the regular school year, and a failure to recoup (the time needed to relearn the skills) in a reasonable time" (for some skills, and depending on the child's circumstances, by the end of the first quarter of the school year).

All children regress to some degree between school years. When the level of regression and the time needed to recoup skills is substantial, ESY may be warranted.

Regression is not the only factor in determining eligibility for ESY services. Maryland law requires the IEP team to consider other factors, including:

- Degree of progress **towards mastery of** IEP goals and objectives
- Emerging skills/breakthrough opportunities (will a lengthy summer break cause significant problems for a child who is learning a key skill, like reading or math or communication?).
- Interfering behavior that prevented them from learning.
- Nature and/or severity of disability (for example, learning disability that has caused a big gap in reading ability)
- Special circumstances (anything that would hold the student back from learning.)



How long is ESY?

It can vary, ESY programs usually run for about three to six weeks during the summer. However, if the student needs individualized services that are outside of the usual program timeframe, the IEP team needs to program for this additional programming.

When is ESY offered?

ESY is typically held for a set amount of time in the summer, but ESY is a student specific, individualized discussion based on the purpose of ESY. The timeframe may need to shift based on the student's specific needs.

If a student received ESY services last year, are they automatically eligible this year?

No. All IEP team decisions, including ESY, are made each year.

Are all students with an IEP considered for ESY?

Yes. All students with an IEP are considered for ESY each year.

Is ESY the same as “summer school?”

No. ESY differs from summer school in several important ways:

1. ESY must be based on a student's Individualized Education Program (IEP).
2. ESY must be provided at no expense to the parents.
3. ESY is not designed to help students make up for poor performance during the regular academic year or get a jump-start on fall classes.



Are preschoolers eligible for ESY?

Yes. If a child has an IEP, they should be considered for ESY services.

What if a school district doesn't agree with a team decision to provide ESY?

Just like all IEP team decisions, the decision about ESY must be made in writing (commonly referred to as Prior Written Notice). Parents have the right to request mediation, an administrative due process hearing, and/or complaint investigation to resolve the dispute.