



Extended School Year Services (ESY) During the COVID-19 Pandemic

ESY SERVICES

The term “extended school year (ESY) services” means special education and related services that:

- are provided beyond the regular school year;
- are provided in accordance with the Individualized Education Program (IEP);
- are provided at no cost to the parents; and
- meet the standards of the state educational agency. 34 CFR 300.106 (b)(1)(2).

The purpose of ESY is to assist students with the emergence and maintenance of specific IEP goals to ensure that students receive a Free Appropriate Public Education (FAPE) as outlined in their IEPs. IEP teams must take into consideration the unique needs of individual students and their circumstances when determining the need for ESY services. Local Education Agencies (LEAs) should provide comprehensive and meaningful ESY services.

DETERMINING IF ESY SERVICES ARE NECESSARY

When determining if ESY services are necessary, the IEP team should complete the *ESY Determination* document located in OK EDPlan. **LEAs must provide ESY services when a student’s IEP team has determined that the services are necessary to ensure FAPE, even during a closure to normal school operations. An extended closure of normal school operations may necessitate a reconsideration of ESY services.**

IEP teams should consider various delivery options for ESY, such as all in-person classes, a mix of in-person and virtual classes, or all virtual classes dependent on current social distancing measures and the health and safety of students and staff. When examining these options, IEP teams should consider current information from the Centers for Disease Control and Prevention (CDC), as well as the Oklahoma State Department of Health. **However, districts cannot limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of services. (34 CFR 300.106 (a)(3)(i)(ii).**

LEAs must not confuse ESY and compensatory services. Whereas compensatory educational services enable students to make progress and are a way to address the denial of FAPE as outlined in a student’s IEP. Both are determinations made on an individual, case-by-case basis. **Any obligation to provide compensatory educational services may not be fulfilled by only providing ESY services;** however, IEP teams may decide that a combination of both is needed to benefit the student.

For more information on ESY services, please see Oklahoma’s [Special Education Handbook](#), Chapter 5, Section 3.