

	Extended School Year Services (ESY)	Compensatory Education Services
Guided by:	Specifically addressed in IDEA, Arizona Revised Statute, and State Board Rule	Not outlined in IDEA, but is supported as an equitable remedy through federal case law
Purpose:	Is a component of a FAPE and an IEP team is required to consider the need for ESY as part of the IEP process	Equitable remedy developed after a failure or inability to provide a FAPE as outlined in an IEP. Public education agencies (PEAs) create an offer of compensatory educational services utilizing the totality of the circumstances, including input from the parent.
When:	Typically provided during summer, but can be provided at other school breaks	Can be provided during summer, during the school year, during school breaks, before school, after school, etc.
How:	Determined by the IEP team, which includes the parent	Determined by the PEA with input from parents
How:	Individualized based upon student need; not a one-size-fits-all approach	Individualized based upon student need; not a one-size-fits-all approach
Why:	Necessary to enable a student to benefit from instruction received during the regular school year if a lapse in service would thwart meaningful progress gained during the regular school year	Equitable remedy developed after a failure or inability to provide a FAPE as outlined in an IEP. Compensatory educational services are offered, based upon a totality of the circumstances that resulted in a failure or inability to provide a FAPE, to place the student in the position he/she would have been in had the failure or inability to provide a FAPE not occurred.
Who:	Per OSEP guidance, "personnel providing ESY services should meet the same requirements that apply to personnel providing the services that are part of a regular school program."	Since compensatory educational services are not outlined in the IDEA, there is no guidance on personnel responsible to provide compensatory educational services. An offer of compensatory educational services may include the intended service provider, but there is no requirement that the service provider be the same as outlined in the student's IEP.
Procedural Safeguards:	Parents retain their right to exercise the options outlined in the procedural safeguards if they disagree with an ESY determination.	Parents retain their rights to utilize options outlined in the procedural safeguards to resolve a dispute as to the provision of a FAPE if they reject the PEA's offer of compensatory services.

**Disclaimer: This document reflects current federal and state requirements. It does not include local PEA policy, procedure, and practice that may exceed compliance requirements. This document is meant to be technical assistance and should not be construed as legal guidance.