



OFFICE OF P-12 EDUCATION: Office of Special Education  
ASSISTANT COMMISSIONER  
Room 301M EB, 89 Washington Avenue • Albany, NY 12234  
[www.p12.nysed.gov/specialed/](http://www.p12.nysed.gov/specialed/)

Telephone (518) 402-3353  
Fax: (518) 402-3534

February 2015

## SPECIAL EDUCATION FIELD ADVISORY

FROM:

James P. DeLorenzo

SUBJECT: Application Procedures for July/August Extended School Year Special Education Programs Pursuant to Section 4408 of the Education Law

The purpose of this memorandum is to provide information on the application process for Extended School Year (ESY) Special Education Programs. Applications to operate a new ESY program or to modify a currently approved program are due not later than June 1, 2015. Applications can be found at <http://www.p12.nysed.gov/specialed/applications/>.

### Initial Application

New applications are only required if the agency is not currently approved to operate an ESY program of any type (i.e., specialized instruction, related services, or special class program).

### Modification Applications

You must submit a modification application if you are currently approved to operate a Special Education Summer ESY Program and you propose to modify your approval in any of the following areas:

- Add a **new** full-day or half-day Special Class Program (9000 or 9010);
- Add a **new** full-day or half-day Integrated ESY Special Class (9050 or 9055)<sup>1</sup>;
- Modify your currently approved special class program to:
  - modify the class size (i.e., student to staff) ratio;
  - add a new class ratio;
  - change the operating hours (e.g., from full day to half day or half day to full day)
- Establish a **new** 9015 Specialized Instruction and/or Related Service Program (9015-A, 9015-B, 9015-C and/or 9015-D)

---

<sup>1</sup> For information on this new ESY program model, see Questions and Answers #16-18 at <http://www.p12.nysed.gov/specialed/applications/ESY/ESY-2015/2015-esy-question-answer-document.pdf>

If you are increasing or decreasing the number of classes at the currently approved staff/student ratio, **you do not need to complete a modification application.**

### **Due Date**

The deadline for submission of any new program application and/or any application for a program modification is **June 1, 2015**. Any application received after that date will not be accepted. To be eligible for reimbursement of public funds, prior approval by the New York State Education Department (NYSED) is required for any new program or any program modification specified on the application.

**Operation of Approved Programs:** All providers are reminded that they can only provide ESY services consistent with their approval from NYSED. STACs for students will not be processed if the services provided are not consistent with IEP recommendations and the conditions of NYSED approval.

**Program Operation:** For any public school ESY program that has not submitted STACs showing that the program has operated for three or more years, NYSED will remove program code(s) from the Rate Setting records. This update to our records does not remove the program's approval to operate an ESY program. However, the district/BOCES would need to inform the Rate Setting Unit (via the email address [Rateweb@nysed.gov](mailto:Rateweb@nysed.gov)) if it reinitiates operations in order for the district to receive reimbursement for the program(s).

Initial and Modification Applications must be submitted to the following address:

**New York State Education Department  
Office of Special Education  
Attention: Section 4408 J/A Extended School Year Application Review  
89 Washington Avenue  
Room 309, Education Building  
Albany, NY 12234**

If you have any questions regarding this memorandum, you may contact Linda Keech from the Office of Special Education at (518) 473-0170. For questions regarding reimbursement policy, please contact the STAC Unit at [omsstac@nysed.gov](mailto:omsstac@nysed.gov). Questions regarding Rate Setting should be directed to that unit at (518) 474-3227. Questions regarding your individual programs may be directed to your local Regional Associate at:

|                                    |                |
|------------------------------------|----------------|
| Western Regional Office            | (585) 344-2002 |
| Central (Syracuse) Regional Office | (315) 428-4556 |
| Eastern (Albany) Regional Office   | (518) 486-6366 |
| Hudson Valley Regional Office      | (518) 473-1185 |
| New York City Regional Office      | (718) 722-4544 |
| Long Island Regional Office        | (631) 952-3352 |