

IDEA's Equitable Services Set-Aside

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REQUIRED FEDERAL FUNDING FOR PARENTALLY PLACED PRIVATE SCHOOL CHILDREN

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Entitlement funds under IDEA are awarded on a non-competitive basis for programs and services to students with disabilities

Preschool (PS)

Provides funds for special education services to children ages 3 to 5.

Flow-through (FT)

Provides funds for special education services to children ages 3 to 21.

Types of IDEA Entitlement Grants

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Equitable Services Set-Aside Regulations

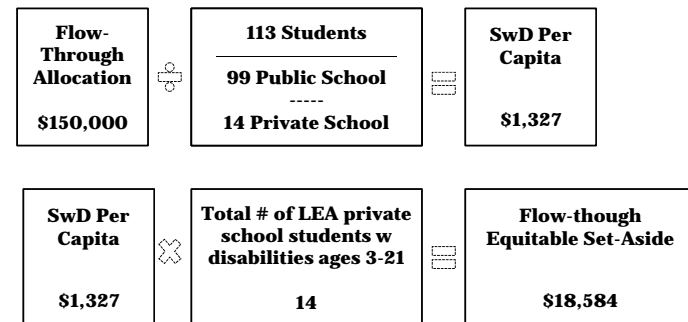
3

- Students with Disabilities Enrolled by Their Parents in Private Schools (34 CFR § 300.130 - 300.148)
- Private School Definition: Wisconsin statute § 118.165
 - Does not include children who are home schooled
- The set-aside amount is generated and spent on children placed in private schools *by their parents*
 - Does not include students placed in private placements by public entities such as the LEA or a county agency

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Proportionate Share Calculation – Flow-through

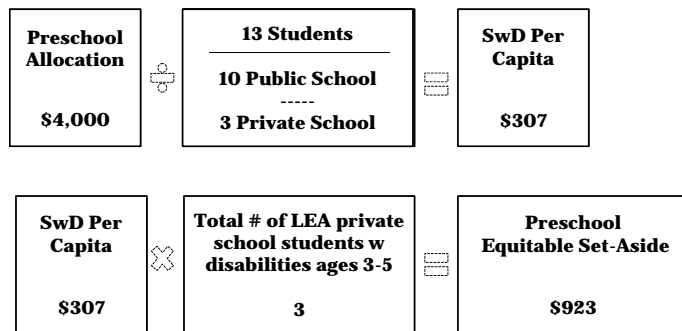
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Proportionate Share Calculation – Preschool

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Allocation

- Only the fiscal year allocation – carryover from a prior year is not included.

LEA SwD (Flow-Through)

- Count all students *eligible* for special education services, ages 3 to 21.
- October 1 of the prior fiscal year.

LEA SwD (Preschool)

- Include *eligible* students 3 to 5 again.
- October 1 of the prior fiscal year.

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Private School Count

- Private schools located in the LEA's jurisdiction.
- Include students with disabilities 4K through 12th grade even if not receiving services.
- WI statute does not include an elementary grade for 3-year-olds – to count this age, the student must be enrolled in a private school 4K program.

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Private School Student Count

Student belongs to the LEA where the student's private school is located.

Jill **resides** in Lanesboro, Iowa

Jill **attends** a private school located in the Belleville (WI) District

Belleville (WI) counts Jill in its equitable services calculation

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Obligation Period

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- A set-aside is determined each fiscal year.
- Two years to spend a single year's set-aside
Set-Aside determined July 1, 2016
Total amount expended by June 30, 2018
 - ✦ 2016-2017 – YEAR 1
 - ✦ 2017-2018 – YEAR 2

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Obligation Period

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- An LEA has 27 months to spend a single year's allocation (Tydings Period).
- Equitable services requires a 24 month spending period.
- Funds not expended at the close of the 24 month period may be used at the LEA's discretion.
 - Only if the LEA is meeting all equitable services requirements
 - OSEP Guidance, H-5:
<http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C1%2C> (OSEP Guidance, H-5)

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Eligible Expenditures

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- **Direct Student Services (Required)**
 - Costs of providing special education and related services, including transportation to these services
 - ✦ Speech & Language
 - ✦ Physical Therapy
 - ✦ Deaf and Hard of Hearing
 - ✦ Transportation to special education services
- **Indirect Services (Not Required)**
 - Special Education training for private school personnel
 - Resource / assistive technology library accessible to private schools

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Non-Eligible Expenditures

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- Child find activities
- Special education evaluations
- Administrative Costs (clerical, director)

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Expenditures NOT Allowed

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- Remodeling or repairs of private school facilities
- Paying salaries of private school staff for part of their regular duties
- Response to Intervention (RtI) costs
 - Federal funds cannot be used for the general needs of students enrolled in a private school.
 - ✦ EDGAR § 76.658

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No Benefit to the Private Schools

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- IDEA funds may not be turned over to the private school to use at its discretion.
 - Do not send a check to the private school!
 - The LEA must determine the services and pay for them
- Non-disposable items purchased with IDEA funds belong to the LEA, not the private school!
 - Textbooks
 - FM systems
 - iPads

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Equitable Services & Time and Effort Reporting

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Charges to Federal awards must be based on records that accurately reflect the work performed. These records must:

- Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated.
- Be incorporated into the official records of the subrecipient.
- Document the staff time spent providing equitable services.

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Equitable Services & Property Management

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- Any equipment purchased for the student attending the private school is OWNED by the LEA.
 - Know what has been purchased with IDEA funds
 - Know where it is located
 - Know how it is being used
 - Get it back when no longer needed by the student at the private school

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Supplement / Not Supplant

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An LEA **must** expend the minimum required amount of IDEA funds on special education services to parentally placed private school children **BEFORE** local funds may be used.

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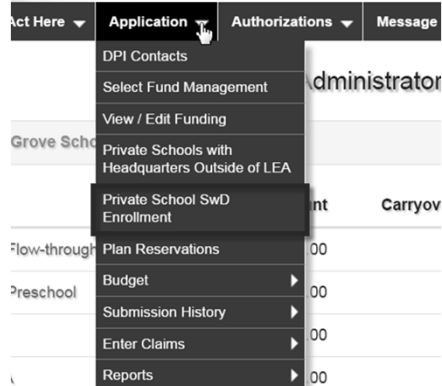
WISEgrants Application Process

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- Collect private school student enrollment numbers for equitable services participation.
- Collect private school student information for the “Additional Data” reporting requirement.
- Reserve funds for equitable services.
- Budget for reserved equitable services amount.

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WISEgrants



If you don't see this option on the application menu, then there are no private schools (per DPI) in the LEA's jurisdiction.

If you do see it, enrollment must be completed before the flow-through or preschool budget can be entered.

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WISEgrants Application Process – Step 1 Enter the Enrollment Count Date

Enrollment Count Date

Select the date on which the enrollment count was performed. Equitable Services Set-Aside amounts are based on a count of students taken during the prior year. After timely and meaningful consultation with representatives of parentally placed private school students with disabilities, the LEA must determine the number of parentally placed private school students with disabilities attending private schools located in the LEA. This count must have been conducted between October 1 and December 1, 2015.

Count Date Performed

10/1/2015

Save

The instructions for this section inform the user which count date to use.

For the fiscal year 2016-17 set-aside, the enrollment count must be from between October 1 and December 1 of 2015.

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WISEgrants Application Process – Step 2 Enter the PUBLIC SCHOOL Enrollment Numbers

Total Student with Disabilities Enrolled in PUBLIC Schools Enrollment Data

AGES 3 to 5 - Enter the total number of children eligible for special education, enrolled in the LEA's public schools, ages 3 to 5 as of October 1, 2015
Number of Students with Disabilities ages 3 to 5, enrolled in the public schools as of October 1
42

AGES 6 to 21 - Enter the total number of children eligible for special education, enrolled in the LEA's public schools, ages 6 to 21 as of October 1, 2015
Number of Students with Disabilities ages 6 to 21, enrolled in the public schools as of October 1
243

Save

This is where the public school enrollment numbers, from the prior fiscal year's October 1 child count, are entered. The numbers are split between 3 to 5 year olds and 6 to 21 year olds.

The words "public schools" are highlighted because more than one LEA has had issues with this section and entered private school enrollment counts instead – which created a very confusing set-aside amount.

WISEgrants Application Process – Step 3 Enter the PRIVATE SCHOOL Enrollment Numbers

Private School Code	Private School Name	Number of Students Re-Evaluated Between July 1 and June 30	Agas 3 to 5 - October 1 Count of Students with Disabilities Enrolled in the Private School	Agas 6 to 21 - October 1 Count of Students with Disabilities Enrolled in the Private School	Number of Students with Services Plans Between July 1 and June 30
1460	Immaculate Hrt of Mary Gr Sch	2	1	3	3
1666	Charis Classical Academy	1	0	1	1
1720	Three Angels Christian School	1	1	2	0
Total : 4		Total : 2	Total : 6	Total : 4	

Number of Students Re/Evaluated: Enter all private school student special education evaluations performed between July 1 to June 30 of the prior year

Number of Students with Disabilities: Enter all students with disabilities parentally placed into private schools as of the child count date of the prior year

Number of Students Served: Enter the number of students with disabilities parentally placed into private schools who received special education services between July 1 to June 30 of the prior year

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WISEgrants

Application

- DPI Contacts
- Select Fund Management
- View / Edit Funding
- Private Schools with Headquarters Outside of LEA
- Private School SwD Enrollment
- Plan Reservations
- Budget
- Submission History
- Enter Claims
- Reports

If the LEA has private schools, then the Plan Reservations section must be completed (even if the private school enrollment count is zero).

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WISEgrants Application Process – Step 4 Enter the Required Reservations Amount

Equitable Services

Calculation	Minimum	Flow-Through Amount	Preschool Amount
$\$597,592.00 / 293 = \$2,039.56 * 6 =$	\$16,316.51	\$16,316.51	
$\$13,578.00 / 44 = \$308.59 * 2 =$	\$617.18		\$617.18

Save

The minimum equitable services set-aside amount for each grant must be reserved before the flow-through or preschool budget can be entered.

If the LEA has unspent set-aside from the prior year, it should be included in the reserved amount in this section (the amounts saved can be *greater* than the minimum required).

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WISEgrants Application Process – Step 4 Enter the Required Zero Enrollment Assurance

Equitable Services

Calculation	Minimum	Flow-Through Amount	Preschool Amount
$\$306,837.00 / 204 = \$1,504.10 * 0 =$	\$0.00	<input type="text" value="\$0.00"/>	
$\$9,214.00 / 24 = \$383.92 * 0 =$	\$0.00		<input type="text" value="\$0.00"/>

Zero enrollment has been entered for all private schools in Barron Area School District. Please verify that this is correct by selecting the following check box. If this is not correct please return to the Private School SwD Enrollment screen to adjust the data accordingly.

Verified by Katarina House on 6/9/2016 at 2:13 PM

A submission of zeroes for enrollment generates a \$0 setaside. LEAs must provide an additional assurance that there truly are no students with disabilities enrolled in any of the private schools in the LEA's jurisdiction.

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WISEgrants Application Process – Step 5 Budget for Required Equitable Services Set-Aside Amount

Personnel

The 'Program Type' identifies the cost as one that budgets against the equitable services requirement

Program Type: Private School

Position: Speech/Language Pathologist

Position Activity: Standard (Default)

Function: 156000 - Speech/Language

Salary: \$20,000.00

Area: No Description Beyond Position

Object: 200 - Employee Benefits

Benefits: \$13,241.00

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WISEgrants Wisconsin Information System for Education
Federal Grants Portal

IDEA - Flow-through Budget - All Schools

Personnel

Submission Personnel Purchased Services Non-Capital Objects Capital Objects Other Objects Indirect View All

Program Type: Private School

Position: Speech/Language Pathologist

Position Activity: Standard (Default)

Function: 156000 - Speech/Language

Salary: \$1,000.00

Area: No Description Beyond Position

Object: 200 - Employee Benefits

Benefits:

The budget sidebar will track the amounts budgeted for the Program Type "Private School"

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Flexibility

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A reservation under preschool can be budgeted and expended out of the flow-through grant to meet the requirement.

- The LEA must still reserve the minimum required preschool amount on the reservations page.

Flow-through
Reservation:
\$20,000

Preschool
Reservation:
\$325

Flow-through Budget Items
tied to Private Schools:
\$20,325

Reservation Amounts - Posted

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OSEP Guidance, H-6: The amount an LEA must expend to meet its proportionate share should be readily available to the public.

<http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CCQaCorner%2C1%2C> (OSEP Guidance, H-5)

Since WISEgrants now collects this information, the amounts are posted on the Equitable Services technical assistance page.

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Frequently Asked Clarification

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- **Zero Students Last Year – 10 Students This Year**
 - What's the set-aside amount?
- **10 Students Last Year – Zero Students This Year**
 - What's the set-aside amount?
 - What are we supposed to do with it?
- **What about students who are identified after October 1?**
 - Set-aside amount does not change

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Frequently Asked Clarification

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- **We bill all of our Speech and Language therapists to Medicaid. Do we have to use IDEA funds to provide services to private school students? We're providing the services, we just want to use local funds.**
 - Yes – the equitable services set-aside amount under IDEA must be used. To use local funds instead of the IDEA funds would be considered supplanting.

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Frequently Asked Clarification

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- **Are Residential Care Centers considered private schools?**
 - Yes – if they meet the definition of a private school in Wisconsin, they are private schools under the equitable participation provision of IDEA.
 - The Key: Equitable services are provided to *parentally placed* private school students. So although RCCs are private schools, the student has to be placed by a parent to be included in the calculation.

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Unusual Situation

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- For the first time in years, the private school in our district will enroll a student with a disability in Kindergarten this fall. According to the regs, we do not set-aside funds for FY 2017 because the count from Oct. 1, 2015, was zero. Are we still required to develop service plans?
 - No – If there is no required set-aside amount, then there is no reason to develop a services plan. However, the district must still complete the consultation process.

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Technical Assistance

Equitable Services under IDEA

<http://dpi.wi.gov/sped/topics/private-schools#equitable>

Special Education Team Contacts

<http://dpi.wi.gov/sped/educators/local-performance-plans/contact>

Equitable Services Program Contact

Paul Sherman

paul.sherman@dpi.wi.gov

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