

IDEA's Equitable Services Set-Aside

1

**FUNDING
SPECIAL EDUCATION FOR PARENTALLY
PLACED PRIVATE SCHOOL CHILDREN**

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

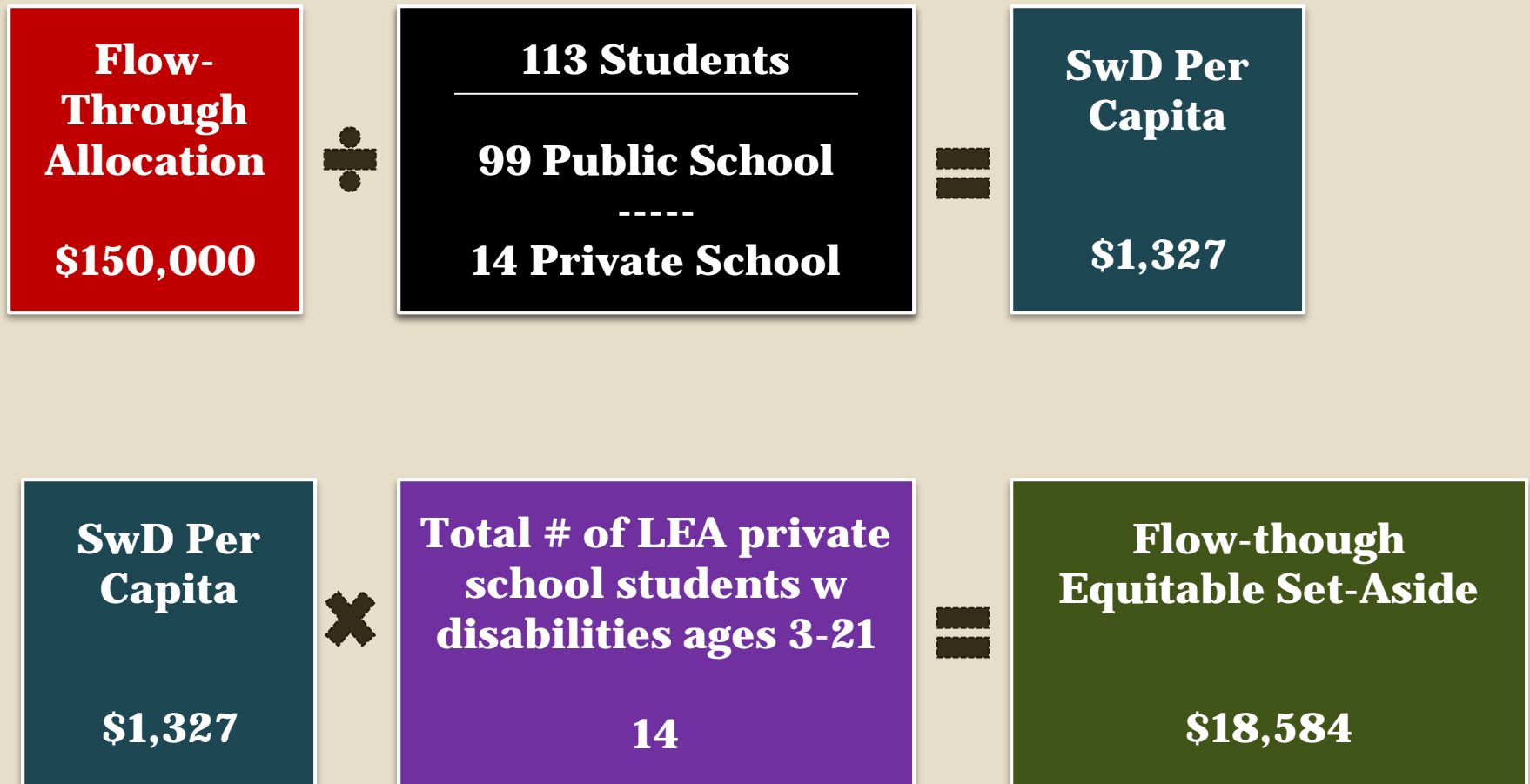
Equitable Services Set-Aside Regulations

3

- Children With Disabilities Enrolled by Their Parents in Private Schools (34 CFR § 300.130 through 300.148)
- Definition of a private school: Wisconsin statute § 118.165
 - Not home schooled children
- Applicable *only* to children placed in private schools by their parents

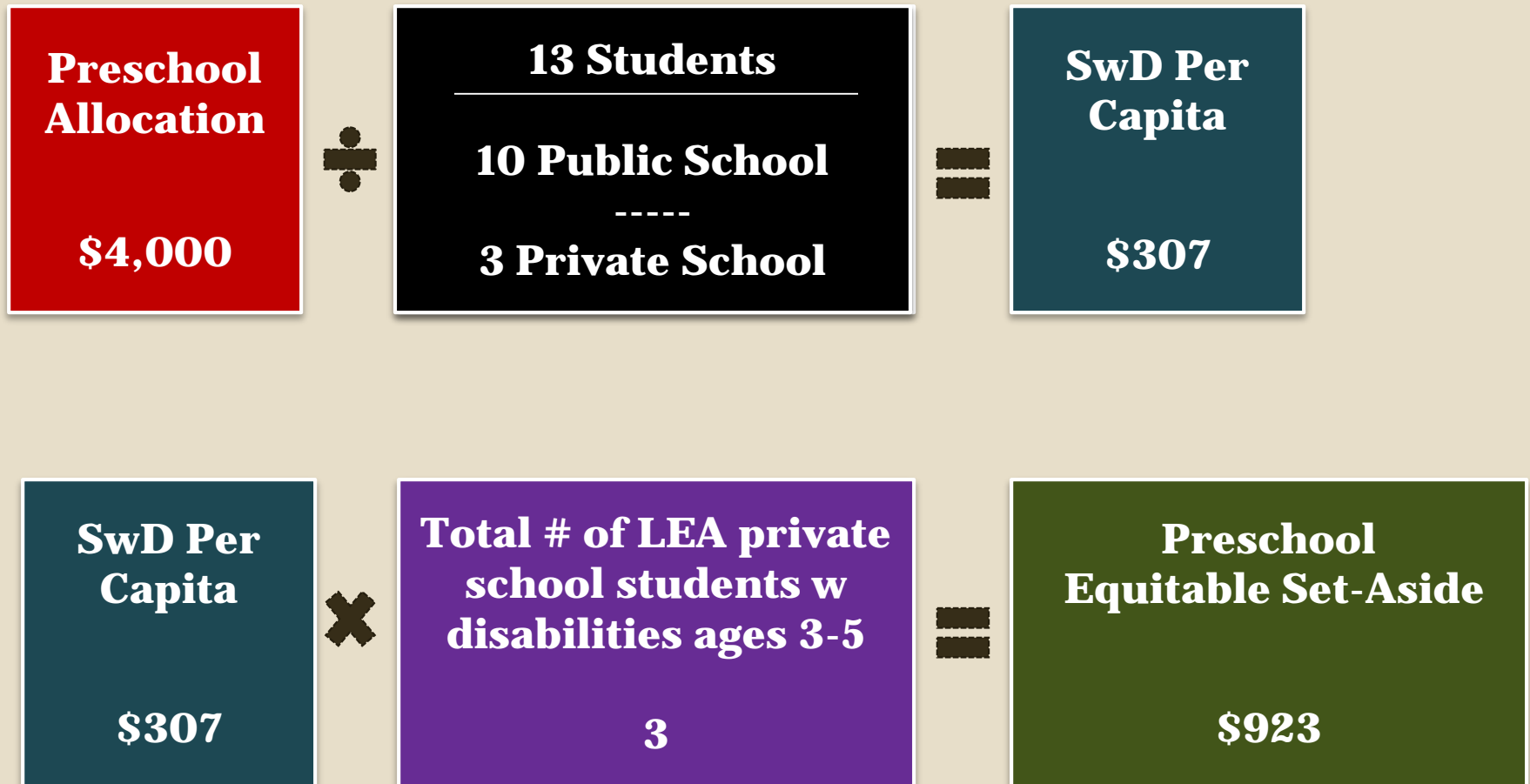
Proportionate Share Calculation – Flow-through

4



Proportionate Share Calculation – Preschool


5





Allocation

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



**LEA SwD
(Flow-Through)**

- Count all student *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



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**

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

Obligation Period

9

- A set-aside is determined each fiscal year
- Two years to spend a single year's set-aside

Set-Aside determined July 1, 2015

Total amount expended by June 30, 2017

- ✦ 2015-2016 – YEAR 1
- ✦ 2016-2017 – YEAR 2

Obligation Period

10

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

Unobligated Funds Example

11

FIRST IN

FIRST OUT

Eligible Expenditures

12

- **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

Non-Eligible Expenditures

13

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

Expenditures NOT Allowed

14

- 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

No Benefit to the Private Schools

15

- **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

Equitable Services & Time and Effort Reporting

16

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.

Equitable Services & Property Management

17

- 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

Supplement / Not Supplant

18

- **Must use required IDEA funds to provide special education services to parentally placed private school children BEFORE local funds may be used**

WISEgrants Application Process

19

- **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**

WISEgrants Application Process - Enrollment Demo

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, 2014.

Count Date Performed



Total Student with Disabilities 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, 2014

Number of students ages 3 to 5

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, 2014

Number of students ages 6 to 21

WISEgrants Application Process - Enrollment Demo

Private School Code	Private School Name	Number of Students Evaluated ▲	Ages 3 to 5 - Number of Students with Disabilities	Ages 6 to 21 - Number of Students with Disabilities	Number of Students Served
0420	Clinton Amish Schs	1	3	7	9
2485	Sacred Heart Sch	2	0	4	4
		Total : 3	Total : 3	Total : 11	Total : 13

LEAs also have the option of downloading a spreadsheet of their private schools to enter enrollment numbers to upload back into the software

Number of Students 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 **October 1** of the prior year

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

WISEgrants Application Process

Equitable Services “Reservations” Demo

Equitable Services

Calculation	Minimum	Flow-Through Amount	Preschool Amount
$\$150,000.00 / 113 = \$1,327.43 * 14 =$	\$18,584.07	<input type="text" value="\$18,585.00"/>	
$\$4,000.00 / 13 = \$307.69 * 3 =$	\$923.08		<input type="text" value="\$924.00"/>

Save

Total students with disabilities, both public and private

Private school students with disabilities count

IDEA - Flow-through Budget - All Schools

(QA Server) 0980 - Cashton

Personnel

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

Personnel

Program Type: Private School

Position: Speech/Language Pathologist

Position Activity: Standard (Default)

Function: 156600 - Speech/Language

Salary: \$1,000.00

General Ledger Account: []

Detailed Description: []

Area: No Description Beyond Position

Object: 200 - Employee Benefits

Benefits: []

Collapse All	Expand All
Funding Detail	
Grant: Flow-through	
Allocation: \$150,000.00	
Carryover: \$151,476.00	
Total: \$301,476.00	
Flow-through Available: \$289,929.00	
Title I Schoolwide Reservation: \$11,547.00	
CEIS Reservation: \$0.00	
Budget Overview	
Flow-through Amount: \$289,929.00	
Amount Budgeted: \$216,332.00	
Amount Remaining: \$73,597.00	
Total Claimed: \$0.00	
Total Unclaimed: \$0.00	
Budget Status	
Current Status: Unlocked	
Amendment #: 2	
Last Submitted: 01/23/2016	
Last Approved / Returned: 01/23/2016	
Budget Section Summary	
Equitable Services Summary	
Amount reserved for Equitable Services: \$18,585.00	
Amount budgeted for private school services: \$1,000.00	
Amount still required to be budgeted: \$17,585.00	

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

Accounting for Equitable Services Expenditures

24

- **Fund: 27**
- **Function: Special Education Function**
- **Project Code: 341 (FT) or 347 (PS)**
- **Revenue Source: 730**
- **CFDA: 84.027 (FT) or 84.173 (PS)**

Frequently Asked Clarification

25

- **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 the private school students who are identified after October 1?**

Frequently Asked Clarification

26

- **What if the private school refuses to participate?**
 - Documentation
 - Must still serve students at other private schools
- **What is the LEA's responsibility for finding parentally placed private school students?**
 - Child find activities similar to those done for the LEA's public school students
- **The private schools just want SMART boards. Can we use our equitable services set-aside to purchase them?**

Frequently Asked Clarification

27

- 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.

Frequently Asked Clarification

28

- 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.

Unusual Situation

29

- 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 2016 because the count from Oct. 1, 2014, 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.

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