

IDEA Equitable Services

The LEA's Fiscal Responsibilities

Special Education Team, DPI

Equitable Services Set-Aside

- IF there are private schools in an LEA's jurisdiction; and
- THEN the LEA must set-aside a portion of their IDEA grants to pay for special education services to eligible students placed in private schools (located in the public school districts) by their parents

A portion must be set aside and expended from both:

FLOW-THROUGH and PRESCHOOL

Equitable Services Set-Aside

- Explicit in the regs
- No wiggle room, no exceptions
- Must use federal funds to provide special education services to parentally placed private school children BEFORE local funds may be used
 - SUPPLANTING!

DIRECTIVES

- The total amount that has to be set-aside **MUST** be spent on equitable services
- The funds must always remain in the control of the LEA
- Non-compliance must be corrected
- Failure to comply may lead to a repayment of funds

Flow-through

LEA's
Flow-through
Allocation
in FY 11



Total Number of
Eligible
Children ages
3 to 21 in FY 10



Average
allocation per
eligible child



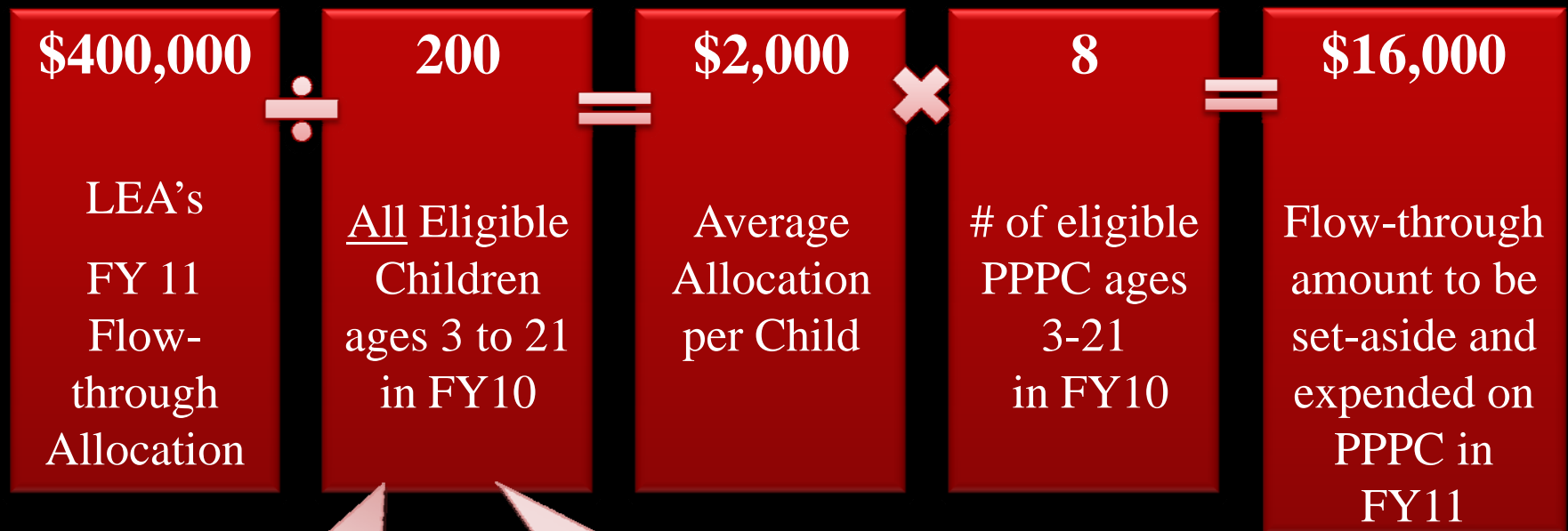
Total number of students *eligible* for special education attending BOTH public and private schools in the private year. DPI does not collect this number.

of parentally placed private school children w/ disabilities 3 to 21 in private schools located in the LEA in FY 10



Flow-through amount to be expended for parentally placed private school children with disabilities in FY11

Flow-through Example



192 eligible public school children

8 eligible private school children

Preschool

LEA's
Preschool
Allocation
In FY11



Total Number of
Eligible
Children ages
3 to 5 in FY10



Average
allocation per
eligible child



of parentally placed private
school children w/ disabilities
3 to 5 in private schools
located in the LEA in FY10



Preschool amount to be expended for parentally placed
private school children with disabilities in FY11



THE ELEMENTS OF THE CALCULATION

ALLOCATIONS

LEA's Flow-through Allocation

- LEA's 611 Flow-through Allocation
- LEA's Total Preschool Allocation

LEA's Preschool Allocation

- In FY 2009-2010, the allocation is total ARRA and regular IDEA funds

Eligible Child Count

Total Number
of Eligible
Children ages
3 to 21

- The calculation is based on the total number of children **ELIGIBLE** even if they are not receiving special education services
- Eligible is **NOT** the same as child count

Eligible Child Count

- All children are counted
 - public and private school attendance
- Two counts must be taken:
 - 3 to 21
 - 3 to 5
- The children ages 3 to 5 are counted twice, once for flow-through and once for preschool

Eligible Child Count

- The “eligible” student count must take place the previous fiscal year.
- Count must take place between October 1 and December 1
 - DPI recommends using an October 1 count

Who gets counted where?

- Student A resides in the Sparta School District.
- Student A attends a private school located in the Tomah School District.
- It is the responsibility of the **Tomah School District** to count Student A in their equitable services calculation

Who counts the student?

- Student B resides in the Milton School District.
- Student B attends Oakhill Christian School, located in the Janesville School District.
- It is the responsibility of the **Janesville School District** to count Student B in their equitable services calculation

Average Allocation per Child

**Average
allocation per
eligible child**

- Dividing the number of eligible children by the funding source (either flow-through or preschool) provides the LEA with the average per eligible pupil amount.

Eligible Parentally Placed Private School Children

of parentally placed private school children w/ disabilities 3 to 21 in private schools located in the LEA

- Included in the total eligible count, but separated out to determine the actual set-aside amount
- Two counts:
 - Ages 3 to 21
 - Ages 3 to 5
- WI statute does not include an elementary grade for three-year-olds

Set-Aside

**Flow-through
amount to be
expended for
parentally placed
private school
children with
disabilities**

- The average per eligible pupil amount is then multiplied by the number of eligible students attending the parentally placed private schools in the LEA's jurisdiction to determine the required set-aside amount.

Use this tool!!!!

- Equitable Services Calculators
 - If the right student numbers are entered, the amounts to set-aside are correct

<http://www.dpi.wi.gov/sped/lpp-budgets.html#setaside>



THE EXPENDITURES

Counted towards meeting the requirement:

- Special education and related services, including transportation to these services
- Instructional materials
- Assistive technology equipment (must be returned to the LEA when child no longer needs the equipment)

Counted towards meeting the requirement:

- Training to private school personnel on special education topics
- Establish a resource / assistive technology library accessible to private schools

Cannot count towards meeting the requirement:

- Child find activities
- Evaluations
- Administrative costs (clerical, director)

Costs NOT Allowed Under IDEA

- Remodeling or repairs of private school facilities

No benefit to the private school

- Funds may not be turned over to the private school to use at its discretion
- LEA must always be in control of the funds
- Private school staff may be paid with federal funds only if the services provided are outside of her regular hours of duty and under public supervision

Equipment

- Any equipment or supplies 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

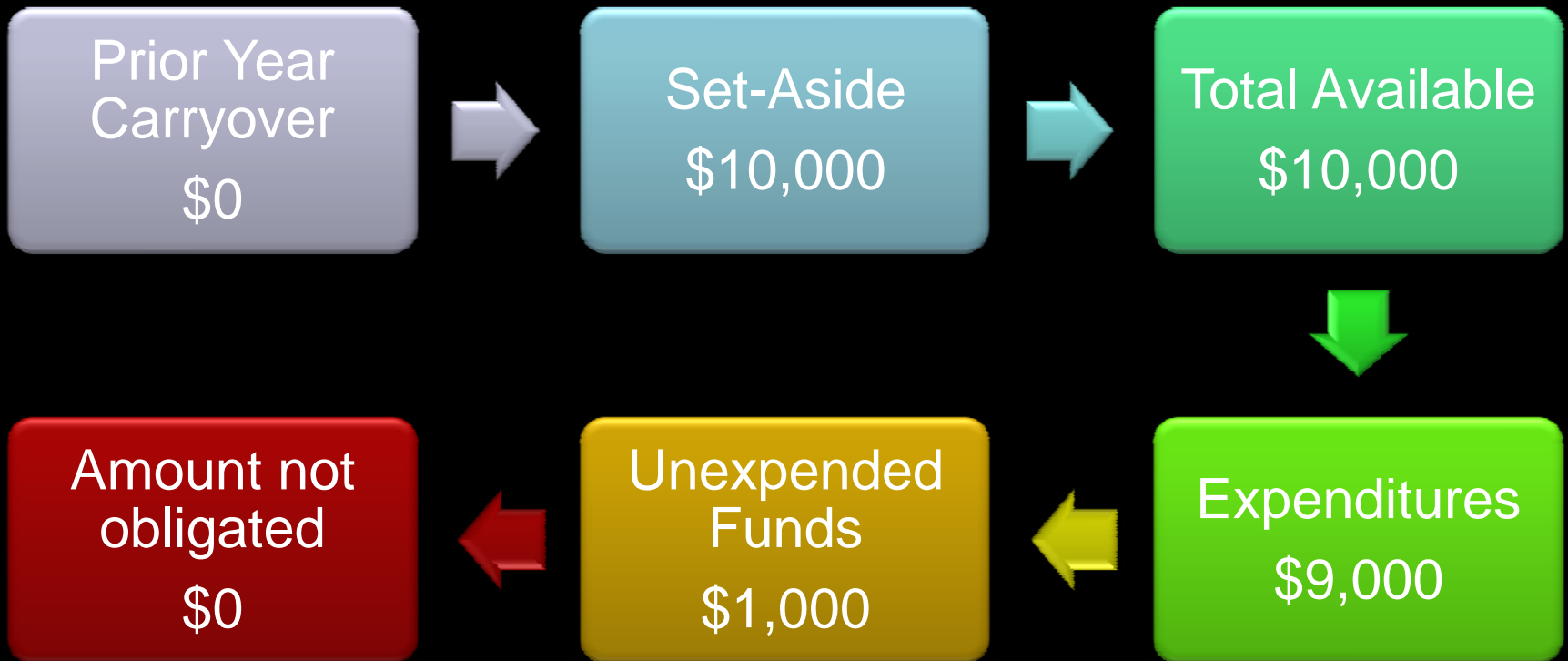


SET-ASIDE TIMELINE

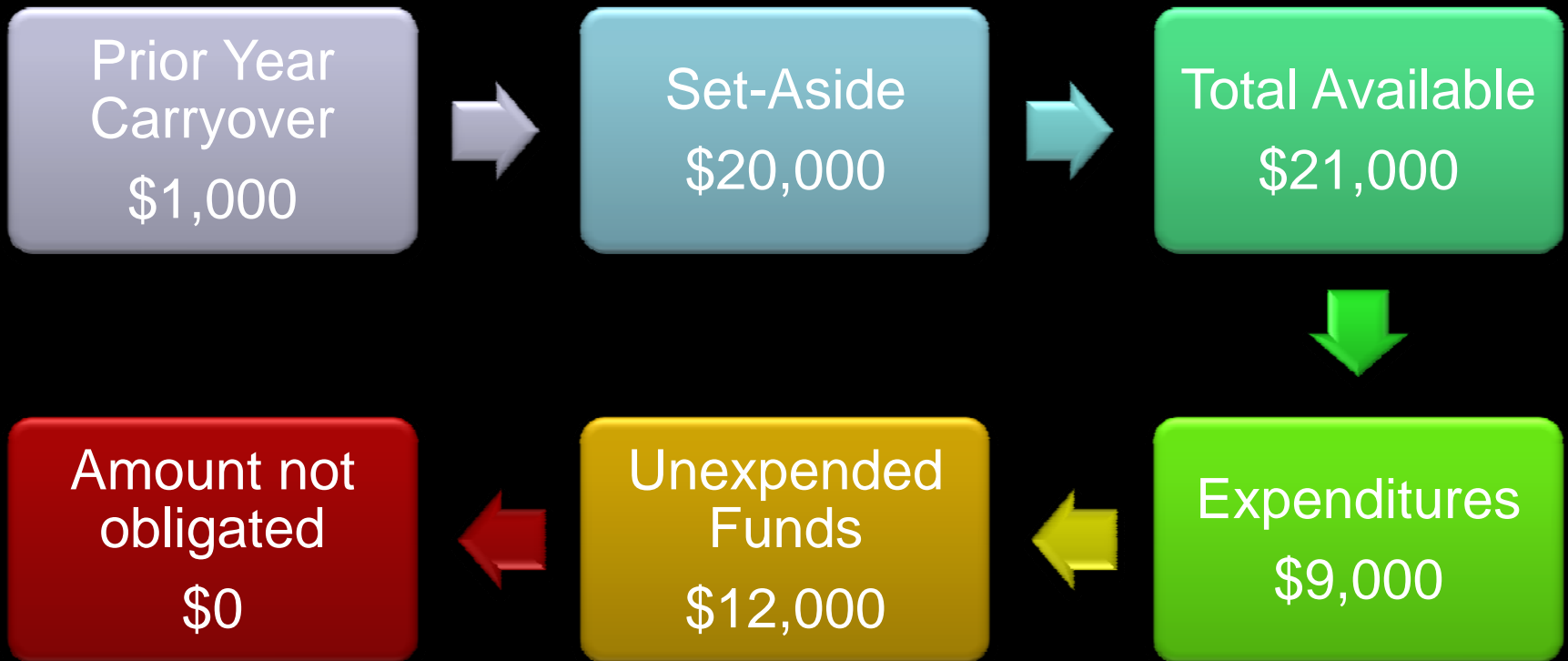
Timeline

- Two years to spend a single year's required set-aside amount
- Amount set-aside in FY 2011 must be obligated by June 30, 2012.
 - 2010-2011 – YEAR 1
 - 2011-2012 – YEAR 2

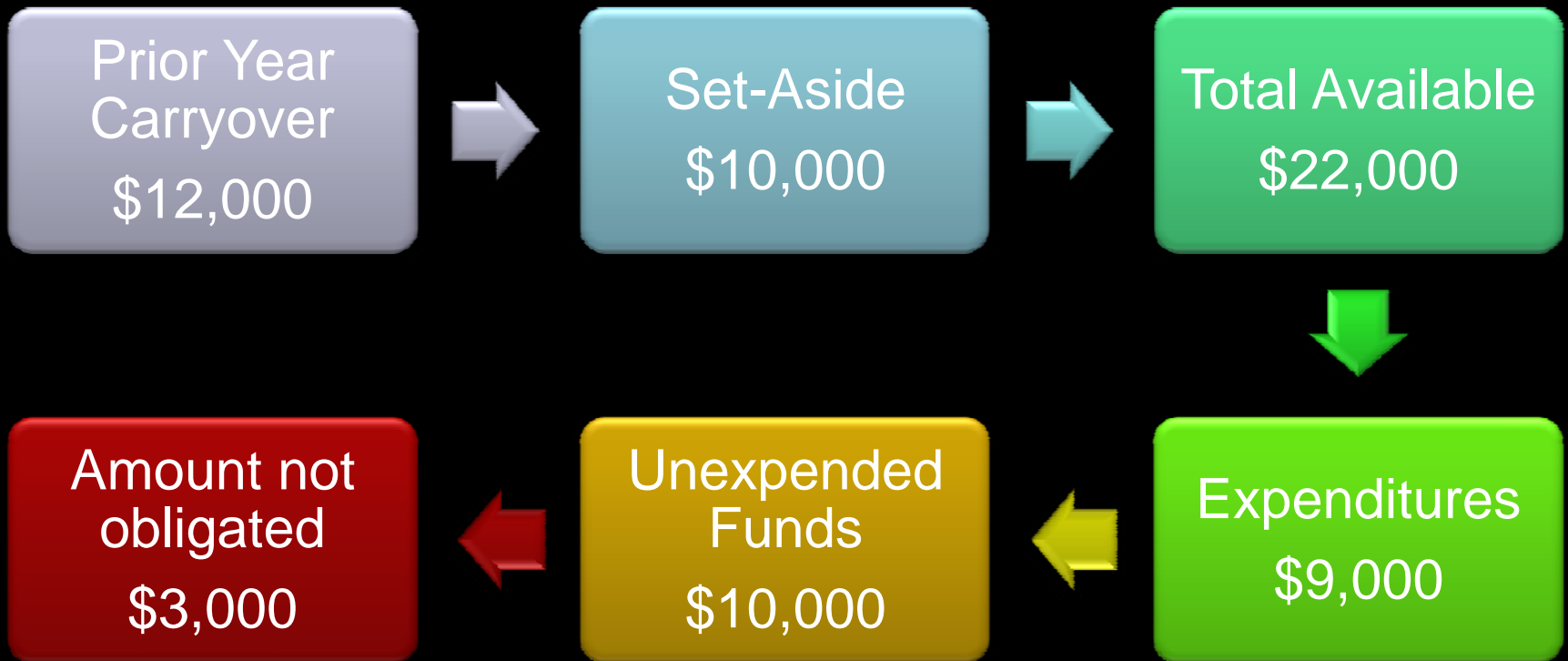
2008-09



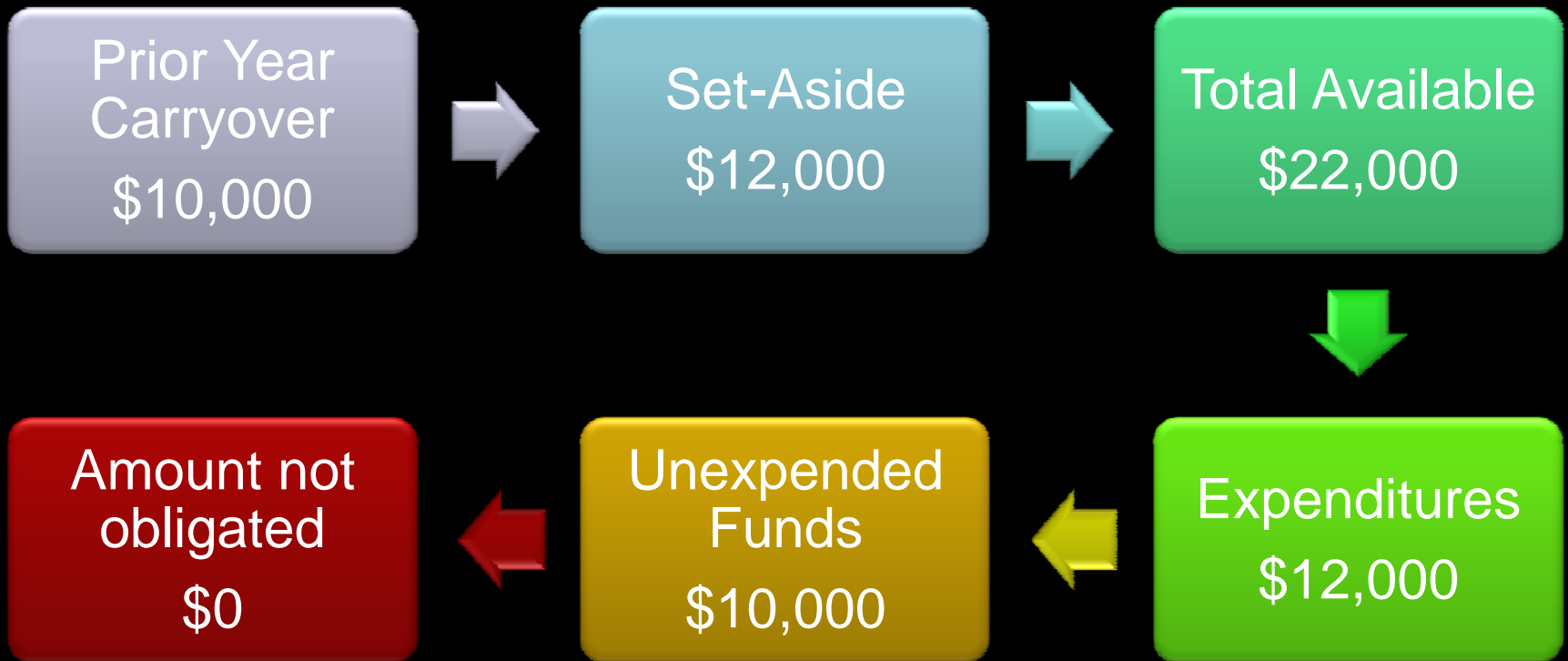
2009-10



2010-11



2011-12





FREQUENTLY ASKED QUESTIONS

Questions

- Is the current year's set-aside is based on the previous year's student count?

YES

- What if there were 10 students last year and 0 students this year?

The proportionate share must be expended

Questions

- What if there were 0 students last year and 10 students this year?

The LEA is not obligated to set-aside any federal funds for the current fiscal year

Questions

- Where do we budget for equitable services in the IDEA budget software?
- **No requirement to break out the costs on the budget, but the LEA must be able to identify expenditures locally**

Questions

- Are time and effort records required for personnel providing equitable services?
- **Yes. For more information, please see <http://dpi.wi.gov/sped/lpp-budgets.html#time>**

Questions

- What if the private school refuses to participate?

Documentation of refusal, still responsible for full amount if there are more than one private schools in the LEA's jurisdiction

Questions

- What evidence is needed to determine a private school student who came from another school district is a child with a disability?

An IEP team report documenting a child's disability in place as of October 1

Questions

- Should a school district go beyond contacting private schools within the district to locate parentally placed private school students?

An LEA's child find activities must address both public and private school students; consultation with private schools on child find an obligation

Questions

- When a child enrolls in a private school in a school district other than the child's school district of residence, should the non-resident district contact the school district of residence for information about the child?

When in doubt, yes

Equitable Services Set-Aside Technical Assistance

- For more in-depth information on IDEA and the parentally placed private school children set-aside calculation please visit <http://dpi.wi.gov/sped/lpp-budgets.html#setaside>
- Equitable Services Set-Aside Information Bulletin <http://dpi.wi.gov/sped/bul06-03.html>