Safety Net

OSPI/WASA Special Education Conference
August 2015

Presenter: Mary Ellen Parrish
Disclaimer

The information contained in this presentation and power point is an overview of special education requirements. The presentation is not intended as legal advice. The state regulations that implement IDEA are located at Chapter 392-172A WAC. Outside resources are not intended to be an endorsement of any service or product. District personnel should always review their district’s procedures and review questions with their administrative staff.
Today’s Topics

• The Safety Net Program
• Highlights of *conditional* results of most recent Safety Net cycle
• Anticipated 2015–16 due dates
SAFETY NET
The Safety Net Program

• Safety Net funding is a combination of state and federal funding appropriated by the Legislature for districts with demonstrated capacity for supplemental special education funding.

• Districts may apply for awards in two categories—high need individuals or community impact.

• Differences in program costs due to district philosophy, service delivery choice, or accounting practice are not a legitimate basis for safety net funding.
Funding Requirement

- Safety net funds are awarded by the state Safety Net Oversight Committee subject to a convincing demonstration that:
  - All legitimate expenditures for special education exceed all available revenue from state and federal sources in the current school year.

Source: Appropriations Act, Section 506
Maximizing all Revenues

• The district must demonstrate that it is maximizing its access to all state and federal revenues related to services for special education-eligible students including:
  – IDEA funding
  – Impact Aid
  – Special purpose grants
  – Medicaid
  – Other special purpose revenues
## Safety Net Terminology

<table>
<thead>
<tr>
<th>Community Impact Application</th>
<th>Community Impact applications identify and quantify a <em>specific factor</em> that creates a disproportional representation of special education students causing an adverse fiscal impact.</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Need Individual Application</td>
<td>High need applications are for excess costs associated with providing specially designed instruction and related services provided to a district’s resident special education students via a properly formulated IEP.</td>
</tr>
</tbody>
</table>
Safety Net Terminology

Worksheet A  Used to determine a district’s capacity for safety net funding for the current school year. Required for both High Needs and Community Impact.

Worksheet C  Used to demonstrate costs for direct services for specially designed instruction and related services for resident special education eligible students for the current school year. Required for High Needs applications.
Year in Review

2014–15
Community Impact Applications

• Four districts applied for Community Impact (CI) funding in 2014–15.

• All applicants successfully demonstrated capacity and identified and quantified a specific factor that created a disproportional representation of special education students causing an adverse fiscal impact.
2014–15 High Need Applications

• During the 2014–15 school year, 115 LEAs and one Educational Service Agency submitted 2,315 high need individual applications on behalf of special education students in Washington State.
Funded High Need Awards
(Conditional Awards, not finalized)

• 85% of the high need applications were conditionally awarded funding.

• The average individual award was $16,727.
<table>
<thead>
<tr>
<th>Year</th>
<th>Applications Submitted</th>
<th>Applications Awarded</th>
<th>Percent of Applications Awarded</th>
<th>Submitted Applications Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>09-10*</td>
<td>1,477</td>
<td>1,036</td>
<td>70%</td>
<td>45%</td>
</tr>
<tr>
<td>10-11*</td>
<td>2,136</td>
<td>1,854</td>
<td>79%</td>
<td>-6%</td>
</tr>
<tr>
<td>11-12</td>
<td>2,016</td>
<td>1,759</td>
<td>87%</td>
<td>5%</td>
</tr>
<tr>
<td>12-13</td>
<td>2,121</td>
<td>1,865</td>
<td>88%</td>
<td>5%</td>
</tr>
<tr>
<td>13-14</td>
<td>2,235</td>
<td>1,924</td>
<td>86%</td>
<td>5%</td>
</tr>
<tr>
<td>14-15</td>
<td>2,315</td>
<td>1,979</td>
<td>85%</td>
<td>4%</td>
</tr>
</tbody>
</table>

*ARRA influenced
Conditional Awards
(Conditional Awards, not finalized)

- 38 districts received funding for every high need individual application submitted
- Of the 336 unfunded high need individual applications, 213 were not funded for programmatic reasons, 123 were not funded for fiscal reasons.
Programmatic Problem Areas in 2014–15

• Present Levels of Academic Achievement and Functional Performance
• Measurable Annual Goals
• Aversive Intervention Plans
• Transition
PLAAFP

- PLAAFP lacked current evaluation results, even though results were available;
- PLAAFP lacked present levels of academic achievement; (Real time information, current classroom based assessment results);
- PLAAFP lacked present level of functional performance;
- PLAAFP did not describe the effect of the disability on student’s involvement and progress in the general education curriculum.
Measurable Annual Goals

• No measurable baseline or target in goal.
• Summary of service shows services in a specific area but there was no measurable annual goal for that area.
• No behavior goal for a student with an aversive intervention plan when present levels identify a need for services.
Aversive Intervention Plans

• Most frequent area of non-compliance:
  – Plan did not include maximum duration of interventions.
  – Plan lacked means of evaluating the effects of the use of aversive interventions and a schedule for periodically conducting evaluation at least every 3 months when school is in session.
Successful Application Processing Strategies

• Utilize the OSPI IEP review sheet as a guide for staff in the development of IEPs
• Work closely with the fiscal department in preparing Worksheet A
• Closely monitor attendance, entrance and exit dates, and ESY
• Tie contract billings to student attendance whenever possible
Successful Application Processing Strategies

• Check all ESA services to determine if the service is direct or consultation
• Ensure that aversive intervention plans contain the duration of interventions, identified staff, and the frequency of review
Successful Application Processing Strategies

• Ensure that your transition plans identify employment options that are appropriately addressed in the IEP

• Check and double check your figures, staff, and identified costs and then have someone else review it
Fiscal Adjustments on High Need Applications in 2014–15 due to

- Costs did not exceed threshold when pro-rated from date of 442 correction.
- Costs did not exceed threshold as services were not quantified in IEP.
Other Fiscal Adjustments

• Providers were not quantified in IEP.
  – Provider’s service minutes per week were not specified.

• The district requested reimbursement for services that were not provided to the student.

• The district did not submit supporting documentation.
  – Purchase order, contract, invoices

• The district submitted an incomplete IEP.
Enhancements to the Process in 2014–15

• Preparing to Apply for Safety Net (MP4 Video)
• Completing the High Need Individual Safety Net Application (MP4 Video)
• Assembling the Safety Net Application (MP4 Video)
Enhancements to the Process in 2014–15

- Complete Worksheet C (Current and Previous) (Excel) (updated 2/2/15)
- Complete Worksheet C (Current and two Previous) (Excel) (updated 2/2/15)
- Complete Worksheet C (Current and three Previous) (Excel) (updated 2/2/15)
## Additional Feedback

<table>
<thead>
<tr>
<th>Statewide</th>
<th>District</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.13%</td>
<td>6.08%</td>
<td>HNI % of 3-21 SpEd Enrollment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>District HNI % Exceeds State Average</td>
</tr>
<tr>
<td>29.54%</td>
<td>22.93%</td>
<td>% of Time in SpEd Setting</td>
</tr>
<tr>
<td>19%</td>
<td></td>
<td>% of Funded Applications for Out of District Placements</td>
</tr>
<tr>
<td>28</td>
<td></td>
<td>HNI Applications Submitted</td>
</tr>
<tr>
<td>21</td>
<td></td>
<td>HNI Applications Recommended for Funding</td>
</tr>
<tr>
<td>75%</td>
<td></td>
<td>% of Applications Recommended for Funding</td>
</tr>
</tbody>
</table>
## Additional Feedback

<table>
<thead>
<tr>
<th>Provider or Service Funded</th>
<th># of Awarded HNI Applications with Service/Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>SpEd teacher</td>
<td>18</td>
</tr>
<tr>
<td>1 : 1s</td>
<td>18</td>
</tr>
<tr>
<td>Transportation Assistants</td>
<td>2</td>
</tr>
<tr>
<td>Related Services</td>
<td>18</td>
</tr>
<tr>
<td>Out of District Placements</td>
<td>4</td>
</tr>
<tr>
<td>Health Services/Nurses</td>
<td>-</td>
</tr>
<tr>
<td>Interpreters</td>
<td>-</td>
</tr>
<tr>
<td>Supplies</td>
<td>1</td>
</tr>
<tr>
<td>Out of District Transportation</td>
<td>2</td>
</tr>
<tr>
<td>ESY</td>
<td>5</td>
</tr>
</tbody>
</table>
2015–16

LOOKING AHEAD…
Anticipated Dates

• Anticipate release of Safety Net Bulletin in November 2015
• Anticipate February 2016 Community Impact application due date
• Anticipate mid-March 2016 High Need Individual application due date
A final note, remember

• If a student awarded safety net funds moves from the district, notify our office.
• Notify our office if the district requested reimbursement for ESY and the student did not participate.
• Safety net awards are subject to audit and recovery.
Contact

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Primary Website Link:

http://www.k12.wa.us/SpecialEd/Finance-Grants/default.aspx