



Friday News Blast



4-19-2019

205 Code Language

It is the guidance of the Office of Special Education that the District is responsible for a student's attendance and grades, even if the district did not determine the placement unless...

If a student is no longer attending a public district because a parent has chosen to place them at a Contracted Service Provider, the district has two options...

1. When students are withdrawn from a public school district **by their parents** to attend a Contracted Service Provider and the district is notified that the parent is filing for Exempt/Home School status the district would use a **205** code—**Not Enrolled, Eligible to Return**. The district may only use this code if they have been notified the parent is filing for Exempt/Home School Status.
2. If the student is not withdrawn from a public district and there has not been notification of filing for Exempt/Home School status, the district would keep the student enrolled, maintaining attendance. In this situation, the district would follow their attendance policy and would be responsible for making the administration of assessments available.

It has been brought to our attention that districts have been using the 205 code in these situations and possibly this has not presented an issue in our office until the issue of Assessment came up with third graders this year. Students eligible for assessment must be tied back to a public school district. With students not tied to a school and also NOT considered Home School/Exempt, it appears at the state level as an error. Please use the 205 code AFTER the above steps have been taken.

Please note: The coding would be different for a student who is placed by the district within a Contracted Service Provider (agency) as well as if a student was withdrawn and placed in a Accredited Private Placement. Please contact Robyn Gonzales in the Office of Special Education should you have any questions.

Extra Duty Pay and Service Provider Contracted Services Clarification

NDE staff often get questions regarding the need for an Approved Service Provider rate for special education staff providing special education services during the summer.

For individuals providing education and related services per IEPs to students in the district where they are currently employed, an approved rate is not necessary. This would be considered extra-duty pay rather than contracted services. District administrators need to address this through your contract.

However, if you are an individual providing services to students in districts where you are not an employee, you must have a NDE Provisionally Approved Service Rate for the district to

be reimbursed. (Apply at the following link, as necessary: [http://csp.education.ne.gov/Special Education Main.aspx](http://csp.education.ne.gov/Special_Education_Main.aspx)).

For individuals working through an ESU, you would utilize the ESU's approved rate. If you have questions, please contact alice.senseney@nebraska.gov or 402-471-2775.

IDEA MOE for Compliance Standard is OPEN – DUE DATE: April 30

Don't wait the IDEA Part B Special Education Maintenance of Effort (MOE) Application for Compliance Standard for school year 2017-2018 deadline is nearing. The report may be accessed within the NDE Portal under the Data Collection tab.

School district receipt of IDEA dollars is contingent upon maintaining fiscal effort for Special Education. Districts must expend a greater or equal amount of local or local/state funds from a previous year highest level to meet the MOE requirement. Final calculations based on actual special education school district expenditures/receipts/data obtained from the 2017-2018 AFR, GMS and NSSRS are available and have been compared to the highest levels of fiscal effort. As a result, calculations for meeting the IDEA MOE Compliance Standard may have resulted in a MOE excess or shortage that requires school district review for determination of adjustments or credits that could modify the MOE level. Districts can meet MOE compliance by meeting at least one of the four calculation methods. If a district meets MOE compliance in less than all four calculation methods, districts are encouraged to still review for potential MOE exceptions which can be advantageous in meeting MOE compliance in future years.

Any questions, contact Pete Biaggio (402-471-4308 or pete.biaggio@nebraska.gov), or Greg Prochazka (402-471-4314 or greg.prochazka@nebraska.gov).

Deaf-Blind Summer Institute

The annual Deaf-Blind Summer Institute is coming July 15-17, 2019 and will focus on effective communication strategies for all children with combined hearing and vision losses as well as those students with significant disabilities and/or multiple disabilities. The registration is open until May 31, 2019. Please share the *attached* flyer with all staff, parents, and agencies serving children birth to age 21. Any questions, contact Teresa Coonts at teresa.coonts@nebraska.gov or Tanya Armstrong at tarmstrong@esu4.net

Facilitated IEP Training Registration:

Spaces are still available. Please see the *attached* registration invitation for the IEP facilitation trainings. Training is available at three sites: Omaha- April 29-30, Kearney-May 6-7, Norfolk-May 8-9

Have a great holiday weekend and I think we can actually say enjoy the warm spring weather. Thanks for your leadership, hope to see you all real soon.

Steve and Amy