



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

October 10, 2016

- () Action Required
Due dates: 2/17/2017 and
3/17/2017
(X) Informational

BULLETIN NO. 055–16 SPECIAL EDUCATION

TO: Educational Service District Superintendents
School District Superintendents
Assistant Superintendents for Business and/or Business Managers
Educational Service District Special Education Offices
School District Special Education Directors

FROM: Randy I. Dorn, State Superintendent of Public Instruction

RE: Special Education Safety Net Application for 2016–17

CONTACT: Mary Ellen Parrish, Special Education Program Supervisor
360-725-6075, maryellen.parrish@k12.wa.us, TTY: 360-586-0126

Safety net funding is available to school districts with a demonstrated capacity for special education funding in excess of state and federal funding otherwise available to the district. This bulletin provides application instructions for special education safety net awards for the 2016–17 school year.

APPLICATION PROCESS

Safety net awards are made by the Special Education State Oversight Committee based on the district's application and information available to the Office of Superintendent of Public Instruction (OSPI). Required forms and instructions are available in Word and Excel documents that can be downloaded from the website at <http://www.k12.wa.us/SpecialEd/Finance-Grants/SafetyNet.aspx>.

Fiscal Application (Worksheet A)

Worksheet A is filed with both the Community Impact applications and High-Need Individual applications. See Worksheet A Line-by-Line Instructions for assistance when completing the financial portion of the application. Worksheet A is pre-populated with (1) budgeted F-195 revenues and expenditures, and (2) Individuals with Disabilities Education Act (IDEA) federal flow-through allocations for Part B 611 and 619. The district's federal restricted indirect rate plus one percent is embedded in Worksheet A. Worksheet A will be populated with 2015–16 Part B Section 611 and 619 carryover and F-196 year-end data when the data becomes available.

The fiscal components of the Community Impact and High-Need Individual safety net applications are:

- Certification form
- Worksheet A
- The most recent completed monthly detailed expenditure reports for the special education programs showing the budgeted and actual year-to-date expenditures. The reports must sub-total at three separate levels:
 1. Object (i.e. 21-27-5)
 2. Activity (i.e. 21-27)
 3. Program (i.e. 21)
- Special education enrollment exception reports for the 2016–17 school year
- For High-Need Individual applications, Form SPI 1381-Individuals Summary (included in Worksheet A packet)

Community Impact Applications

A Community Impact application consists of a completed Form SPI 1381-Community Impact application. Include Statewide Student Identifier (SSID) numbers for students associated with the community impact factor(s). See Community Impact instructions for more information.

Community Impact applications must be received at OSPI by 5 p.m., Friday, February 17, 2017.

Mailing Address:

Douglas H. Gill, Ed.D.

OSPI, Special Education State Oversight Committee Manager

PO BOX 47200

Olympia, WA 98504-7200

High-Need Individual Applications

Districts requesting safety net awards on behalf of eligible, resident high-need students, must convincingly demonstrate to the State Oversight Committee that the Individualized Education Program (IEP) for the eligible special education student is properly formulated. Costs eligible for consideration in a safety net award must be associated with providing direct special education and related services identified in a properly formulated IEP(s) for the period of funding requested.

- The annualized threshold for a high-need application is based on a multiple of the statewide average per pupil amount established by the office of the superintendent of public instruction in consultation with the office of financial management and the fiscal committees of the legislature. For 2016–17, the threshold is \$28,436.
- Applicants for high-need individual students served in buildings with Title I schoolwide programs that include federal special education funding are required to submit the building's schoolwide cost allocation plan.

- Applicants are required to submit all IEPs in effect for the 2016–17 school year for each high-need individual application to validate and quantify the provision of reimbursable special education services for the period of the funding requested.

See Worksheet C Line-by-Line Instructions regarding items required, submission of program calendars, and assembly of the application. It is the responsibility of the district to ensure that each application is complete when submitted. If the IEP submitted for the student is missing pages, OSPI will not contact the district to obtain the missing pages.

Mailing Address:

Douglas H. Gill, Ed.D.

OSPI, Special Education State Oversight Committee Manager

PO BOX 47200

Olympia, WA 98504-7200

Delivery address for completed High-Need Individual applications:

Douglas H. Gill, Ed.D.

OSPI, Special Education State Oversight Committee Manager

600 Washington Street SE

Olympia, WA 98504-7200

In September of this school year, districts were notified that iGrants Form Package 442 is available to use for correction of issues of identified non-compliance. IEPs that were submitted for safety net reimbursement in 2015–16 and were not funded due to compliance issues are listed on Page 2 – Student Specific Corrections of iGrants Form Package 442. Should the district wish to submit the IEP for safety net reimbursement in 2016–17, the IEP must be corrected by the district and verified by the ESD prior to submission. All non-compliant IEPs will be pro-rated from the date of 442 correction, if not corrected and verified prior to the beginning of the 2016–17 school year.

FINAL AWARD DETERMINATIONS

Applicants are required to complete and submit to OSPI Form SPI 1679 Potential Medicaid Eligible Student Worksheet on or before June 30, 2017, as a condition of potential award. Further instructions are located at <http://www.k12.wa.us/SpecialEd/Finance-Grants/Medicaid.aspx>. The Legislature requires that OSPI make award determinations for safety net awards in August of each year. Funding for state safety net awards will be distributed in August apportionment; federal safety net awards are drawn down using iGrants Form Package 269.

CONDITIONS ASSOCIATED WITH FUNDING FOR SAFETY NET

State and federal safety net funding is not an entitlement. Safety net funding is an annual grant application. Safety net awards in prior years do not guarantee future eligibility. The following are conditions associated with safety net awards:

- Capacity for funding is based on legitimate actual expenditures and all available revenues included on Worksheet A, which determines maximum funding capacity; however, maximum funding capacity does not entitle a district to a safety net award.
- Safety net funding will only be awarded for direct special education and related services validated and quantified by a properly formulated IEP, and/or quantifiable community impact factors.
- Safety net awards may be less than the amount of capacity demonstrated on Worksheet A, but in no case may exceed that amount.
- Funding is only provided for resident students (as defined by state law).
- Safety net funding is only available for the excess cost of special education students as required by RCW 28A.150.392, 34 CFR § 300.16, and WAC 392-172A-01075.

STATE OVERSIGHT COMMITTEE MEETING DATES AND APPLICATION DEADLINES

No application for the school year or additional information pertaining to an application shall be accepted after the due date.

Deadline for Receipt of Application at OSPI	Type of Application	Oversight Committee Meeting Date	Meeting Location
February 17, 2017	Community Impact	March 14–15, 2017	SPSCC Lacey Campus, 4220 6 th Ave. SE Lacey, WA
March 17, 2017	High-Need Individuals	June 20–21, 2017	SPSCC Lacey Campus 4220 6 th Ave. SE Lacey, WA

High-need individual applications must be received at OSPI by 5 p.m. on the deadline date. Faxed submissions will not be accepted.

The State Oversight Committee approves or disapproves all safety net applications at the committee meetings. OSPI notifies districts in writing of the determination of the committee. To observe the process, applicants may attend the State Oversight Committee meeting on the morning of the second scheduled day of the meeting. Districts should indicate their intent to attend the meeting on Form SPI 1381-Certification. Applications are typically reviewed in alphabetical order. Information about safety net applications and awards are available on OSPI’s website at <http://www.k12.wa.us/SpecialEd/Finance-Grants/SafetyNet.aspx>.

RELATED INFORMATION

Telemedicine

Effective October 1, 2015, telemedicine is covered by the Health Care Authority (HCA) as an acceptable mode to deliver school-based health care services. Telemedicine has proven to be a viable option for districts that are unable to obtain qualified related service providers despite ongoing recruitment efforts. Telemedicine services are eligible for Medicaid reimbursement when IEP services are provided by a qualified practitioner to a special education student in a school setting. School districts using telemedicine services should update Health Care Authority Form 12-325 in order to maximize all available revenues for delivering services. In the determination of need for safety net funding, committee members are required by 28A.150.410 to consider that districts demonstrate they are maximizing their eligibility for all revenues, including Medicaid, related to services for special education-eligible students.

Educational Interpreters

Effective with the 2016–17 school year, educational interpreters employed by school districts must have successfully achieved a score of 3.5 on the performance portion of the Education Interpreter Performance Assessment (EIPA) or hold Registry of Interpreters for the Deaf (RID) certification and have passed the written assessment of the EIPA. Districts will be required to demonstrate that educational interpreters included on high-need individual applications meet this standard.

SPECIAL EDUCATION PROGRAM AUDITS

All safety net applicants are subject to audit by the Office of the State Auditor (SAO) at the request of the State Oversight Committee. The special education program auditors may review and verify data submitted in safety net applications, including certifications made by districts. Program audits may consider whether IEPs are properly formulated, verify student enrollment data, available revenue and legitimate actual expenditures. The results of the auditor’s reviews may be considered by the oversight committee in determining, adjusting, or recovering safety net awards.

ADJUSTMENT AND RECOVERY

All safety net awards are subject to adjustment and recovery pursuant to WAC 392-140-630, 392-140-675, and 392-140-685, including situations where the student leaves the district or has a change in services. Audits by the SAO may also affect safety net eligibility and awards. After the end of each school year, state special education revenue (Account 4121) that is not expended in the state special education program (Program 21) is subject to recovery by OSPI through the School Apportionment and Financial Service Office. Unexpended federal special education funding from 2015–16 may result in a recovery of safety net awards. Safety net awards may be adjusted based upon the percentage of potential Medicaid eligible students billed as calculated by OSPI.

TRAINING

Regional trainings, tutorials, and webinars will be scheduled and provided by OSPI staff. For training dates, see the OSPI Special Education website at <http://www.k12.wa.us/SpecialEd/Finance-Grants/SafetyNet.aspx>.

2016–17 Members of the Special Education State Oversight Committee

Douglas H. Gill, Manager	Assistant Superintendent, Special Education, OSPI
Brian Aiken	Retired Assistant Superintendent of Operations, East Valley School District
Susanne Beauchaine	Executive Director of Student Services, Steilacoom Historical School District
Jeff Brown	Special Education Director, Burlington-Edison School District
Kathryn Coleman	Director of Student Services, Vashon Island School District
Trisha Craig	Director of Special Education, Wenatchee School District
Cody Gardiner	Special Education Director, Sunnyside School District
Carol Gray	Grants Compliance Manager, Vancouver School District
Tammie Jensen-Tabor	Special Services Director, Tumwater School District
Nita Kamphuis	Director of Special Education, Richland School District
Ivy Kardes	Special Education Coordinator, Griffin School District
Connie Kliewer	Superintendent, Tekoa School District
Erika Kmiecik	Assistant State Auditor, State Auditor’s Office (Non-voting)
Doug Matson	Deputy Superintendent, West Valley School District (Spokane)
Lisa Muchlinski	Assistant Director of Special Services, Pasco School District
Ruth Peckarsky	Retired Director of Special Education, Mukilteo School District
Corine Pennington	Chief Financial Officer, Puyallup School District
Dwight Remick	Business Manager, Cascade School Districts
Miriam Tencate	Executive Director of Special Services, Lake Stevens School District
Denny Waters	Executive Director of Special Education, Battle Ground School District
Susan Wolever	Retired Director of Secondary Programs, Issaquah School District
Kyle Weakley	Assistant Superintendent, Quillayute Valley School District

Any questions regarding this bulletin should be directed to Mary Ellen Parrish, Special Education Program Supervisor at 360-725-6075 or email maryellen.parrish@k12.wa.us. The division TTY number is 360-586-0126.

The information contained in this bulletin is also available on OSPI’s website at www.k12.wa.us/bulletinsmemos/bulletins2016.aspx.

BULLETIN NO. 055–16 SE
Page 7
October 10, 2016

K–12 EDUCATION

Gil Mendoza, Ed.D.
Deputy Superintendent

SPECIAL EDUCATION

Douglas H. Gill, Ed.D.
Assistant Superintendent

RD:dg:mep

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.