

Contingency Fund Guidelines 2018-19

September 2018



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
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REGULATORY AUTHORITY

The Secretary of Education under P.S. §25-2509.8 was given the authority to establish guidelines for the application, approval, distribution, and expenditure of funds for extraordinary special education program expenses, also known as Special Education Contingency Funds. The fund's purpose is to provide additional state funding for the implementation of the Individualized Education Program (IEP) for a student with significant disabilities. A contingency fund application may be submitted by a school district, or charter school, to partially meet the extraordinary educational needs, of an individual child with significant disabilities, who requires a highly specialized program, or related services, in order to receive an appropriate education, in the least restrictive environment.

The 2018-19 state special education appropriation makes \$11,362,520 of the total appropriation available for distribution as contingency funds for extraordinary expenses. The Department of Education considers the following to constitute extraordinary expenses:

Expenses that result from needs and circumstances of a student with significant disabilities, which are not ordinarily present in a typical special education service and program delivery system, and which expenses exceed the school district, or charter school funding.

In order for a maximum number of LEAs to participate, a school district or charter school may receive contingency funds in an amount not to exceed \$150,000. Funds will be disbursed in the May 2019 Unipay.

Applicants should not request contingency funds to augment typical special education services or presuppose the availability of contingency funds in their special education operating budget. Contingency fund applications may include expenses for assistive technology for an individual child.

The following information outlines the process to be followed for application and distribution of Special Education Contingency Funds.

APPLICATION INFORMATION

Applications will be accepted, electronically, starting on November 19, 2018; and, will be accepted until January 4, 2019. Faxes will not be accepted. Applications received after January 4, 2019 will not be considered.

Applicants must use the 2018-19 web-based, application form.

The student's IEP in place at the time services were provided must be submitted with an application. IEPs are submitted electronically to Leader Services. No information is to be transmitted directly to the Bureau of Special Education.

Contracted services through Intermediate Units, private schools, consortia programs, or other contractors, must be itemized by individual service. The Bureau of Special Education will accept a tuition statement for individual student services. The statement must clearly indicate that the contracted services are educational only.

Paper application forms will not be accepted. Applications that do not include the current IEP, as well as, applications that do not include all the required information listed below, will be considered incomplete, and will not be considered for funding.

Each application must include the following information:

1. Student's disability
2. Student's educational placement (includes Learning Support, Emotional Support, Multiple Disabilities Support, etc.)
3. Student's Individualized Education Program (IEP)
4. A specific explanation of the extraordinary circumstances
5. A brief, narrative background of each eligible student

For students in programs operated by the requesting LEA, the LEA must itemize special education service and program expenses for each student in the 2017-18 year, for whom an application is being submitted.

The following represents an example of itemized expenses:

| | |
|--|----------|
| Special Education Teacher Salary and Benefits - \$97,475 | |
| Prorated by teacher caseload of 7 | \$13,925 |
| Paraprofessional salary and benefits (one-to-one assignment) | \$47,500 |
| Occupational Therapy (60hrs. x \$75 per hr.) | \$4,500 |
| Physical Therapy (30 hrs. x \$100 per hr.)..... | \$3,000 |
| Speech & Language Therapy (42 hrs. x \$80 per hour)..... | \$3,360 |
| Vision Support..... | \$19,500 |
| TOTAL..... | \$91,785 |
| Minus State Subsidy | \$9,000 |
| Total Eligible Expenses..... | \$82,785 |

RESTRICTIONS ON FUNDING

Expenses not eligible for reimbursement, but included in itemized requests, will not be considered. Please do not include the following:

1. Funds requested to augment typical special education services, such as non-specific curriculum materials and non-specific technology purchases, such as classroom computers.
2. Expenses attributable to services for which the school is already receiving state reimbursement. This includes students in Approved Private Schools (APS), or in approved Out-of-State Placements. However, if a school district is paying 100% of an educational fee to an APS, this expense is eligible for contingency funds.
3. Administrative expenses, such as principal's office expenses, legal fees, secretarial support, rent, building expenses, copying fees, etc.
4. Prorated expenses of regular education teacher time during mainstreaming or inclusion.
5. Non-specific building aides, playground aides, or bus aides.
6. Non-extraordinary nursing or counseling services.
7. English as a Second Language instruction.
8. Extended School Year.
9. Residential expenses of private school placements.
10. Compensatory education expenses.

REVIEW OF APPLICATIONS

Applications with Total Eligible Expenses of \$75,000 or more, will be reviewed on the basis of the unique needs of each child, with priority given to those students, with the most significant needs, and with the greatest financial impact on the LEA. Reviewing applications above a preselected threshold will ensure the approved applications will receive a higher prorated amount. Therefore, not all eligible applications will receive funding.

Expenses will be approved, based on the following criteria:

1. Expenses incurred for students with low-incidence disabilities, whose needs require interventions, that are substantially different from those provided to students, without disabilities, in that the interventions require highly specialized personnel, special training, assistive technology, and equipment. For example, interventions under this definition include, but are not limited to: assistive technology services, Braille services, oral/sign language, interpreting services, real-time captioning services, orientation and mobility services, and consultation with experts, in the student's disability program area.
2. Expenses that result from the development of a broader range of services and programs for a student with disabilities, that enable the school to deliver these services and programs as described in 22 PA Code §14.131(1).

3. Specific staffing expenses that result from the establishment of a fully integrated, or inclusive service delivery setting, for a student or students with disabilities.

Upon review of a school district or charter school application, any ineligible expenses that are included in the total eligible expenses will be deducted from the total. This net result is further reduced by the state subsidy for school district and charter schools. PDE will fund requests received by January 4, 2019, up to the total amount available. Requests, for contingency funds, which are submitted after January 4, 2019, will not be considered.

One electronic application is needed for each student, for whom contingency funds are requested. Funds will be disbursed in the May 2019 Unipay.

All contingency fund payments are subject to the availability of funds and post audit. The Department of Education reserves the right to conduct a post audit at any time, to substantiate the school's expenditures, and to verify the individual student claimed for contingency fund payments.

References

School Code: Section 2509.8
Curriculum Regulations
Purdons: 24 P.S. §25-2509.8

Contact Information

For questions regarding contingency funds, please contact:

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Frequently Asked Questions

1. Is a new password needed, for each year, to access the Contingency Funds website, and to submit an application?

No, the same password may be used, as in previous years. Click on the “Forgot password” link and enter an e-mail address, to retrieve a forgotten password. The system will send, via email, the user ID and password.

2. How does a new user request access to the system?

Send an email to cfunds@leaderservices.com, and the system will send a user ID and password, usually within 24 hours.

3. When prorating the special education teacher’s salary and benefits, should actual or district average figures be used?

The actual teacher’s salary and benefit expenses, incurred from 2017-18, should be used to determine, as accurately as possible, the costs of providing services to a specific student.

4. What figure is used to prorate the teacher’s salary and benefits?

The number of students on the special education teacher’s caseload on the day the application is submitted. This total amount should be divided by the number of students on the teacher’s class list, to determine the prorated, itemized total.

5. May the cost of an instructional assistant assigned to the special education class, not to the individual child, be included in the request?

If an instructional assistant is assigned to the class, and included in the district’s special education plan, the prorated cost of salary and benefits may be calculated. Prorated calculations must clearly be shown on the application form.

6. If a one-to-one aide (personal care assistant) is included in an IEP, is the full cost allowable on the application?

Yes, if this need is clearly indicated on the IEP. The IEP must indicate that the individual is assigned, full time, to the student. An IEP notation, stipulating a student needs one to one assistance, is not sufficient, by itself, to support this claim.

7. If the district pays tuition to another provider, such as an intermediate unit, must the expenses be itemized?

No. In order to achieve more standardization in the application process and fairness to the LEAs, the bureau will accept individual tuition statements.

8. Can the expenses of staff development, related to a specific student, be calculated for contingency funds?

Yes, if the staff development is specific to the student, and documented in the IEP.

9. How is a contingency fund application approved and funded?

The Bureau of Special Education will establish a threshold figure, below which applications will not be reviewed. Applications will be reviewed, beginning with the highest eligible expenses, and continue until the total contingency fund is expended. Not all eligible applications will be funded. An aid ratio will be applied to all total, eligible expenses, between \$75,000 and \$99,999.

10. What items are most frequently disallowed when applications are reviewed?

Generalized administrative expenses, legal expenses, transportation expenses, and expenses that are not itemized (if required), by the LEA, in the "Other" section of the application. Curriculum materials and equipment purchased for the class; and, not for the individual student, as specified in the IEP; are not eligible.

11. What are some common errors that delay the processing of the request?

Two common errors are:

- a. An IEP submitted for the wrong student.
- b. An incorrect cover page with the IEP.
- c. The inability to contact the individual listed on the electronic application. Please verify that the individual listed as contact, has an active email account, that is checked daily.

12. Can contingency funds be requested for nontraditional educational therapies, such as music therapy, or play therapy?

Each request is reviewed on an individual basis; therefore, if therapy is documented on the IEP and properly itemized, it may be approved. Establishing a need, listing the service, and itemizing the service expenses are key to receiving approval. In general, the reviewers of the application will defer to the expertise of the IEP team.

13. Is there any purpose in submitting contingency fund applications for students who, after deductions (state subsidy), do not meet the threshold of \$75,000?

No, since the bureau is funding on a "threshold" basis, there is no reason to submit an application for less than \$75,000 in eligible funds.

14. What transportation expenses are eligible?

Extraordinary transportation expenses are eligible. In the past, this has been for a wheelchair bus, van, or transportation established in direct response to the severe health needs of the individual child. A specific pop up window in the application will ask for more information, including the manner in which the transportation expenses were calculated.