



NEBRASKA

DEPARTMENT OF EDUCATION

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MEMORANDUM

TO: School District Superintendents and Special Education Directors
FROM: Steve Milliken, Administrator
RE: Clarification of NDE Rule 51 - Section 011.02C2
DATE: August 23, 2016

As a result of recent fiscal desk/audit reviews, the following clarification in regards to school district Superintendents, Principals, and Special Education Directors is being provided. For those administrators certified in Special Education and anticipating claiming reimbursement for the 2016-2017 school year, Nebraska Rule 51 (92 NAC 51-011.02C2) specifies that the cost of a superintendent or principal, hired for the purpose of supervising general education, shall not be included as an allowable excess cost for special education reimbursement. To insure school district compliance with this regulation, school districts intending to claim state and/or federal special education reimbursement for split funded administrative positions beginning with the 2016-2017 school year must submit the following information and receive prior approval for payment by the NDE for these claims:

The approved portion of the school district employment contract outlining the FTE of each split position along with Special Education responsibilities. These Special Education responsibilities include activities associated with implementation of state and federal Special Education laws/regulations and may include but are not limited to such activities as:

- participation in IEP meetings,
- involvement in transition planning/programming, and
- planning/implementation and participation in in-service/training activities.

Please be reminded that supervision of Special Education programs is an allowable expenditure for up to an amount not to exceed 8% of the school district allowable Special Education program costs, minus the cost of program supervision. Administration/supervision may include clerical costs directly associated with the supervision of Special Education programs. Time/effort logs should be maintained on the affected administrators/staff.

If this applies to your district, please submit the necessary documentation no later than October 31, 2016 to the attention of Leslie Galloway at the NDE Office of Special Education. If you have questions, please contact your NDE Regional Consultant for Special Education.

cc: NDE Special Education Office staff
Shane Rhian