

# Claims for Educational Services for Non Ward Students in Residential Settings for Other than Educational Reasons

## Frequently Asked Questions

September 2010

1. What is the difference between a Rule 18 school and someone with an approved rate?  
The purpose of Rule 18 is “ to provide a method of approval for Interim- program schools located in or operated by county detention homes, institutions and juvenile emergency shelters. Interim- program schools are schools that are created to ensure continuity of instruction for students who cannot attend public schools for reasons of health or safety while in these temporary residential placements and to insure that such students may receive academic credit from the approved or accredited schools to which they will transfer in order to make continued progress toward grade promotion or graduation. Interim- program schools may alternatively seek accreditation under Chapter 10 or approval under Chapter 14, rather than approval under this Chapter, if they choose.”

A service provider is approved by NDE Office of Special Education to “ provide a special education program.”

More information about Rule 18 can be found at the following link:

<http://www.education.ne.gov/legal/Webrulecoverrule18.htm>

Agency and Individuals may have a provisionally approved rate for reimbursement with the Nebraska Department of Education, Office of Special Education. These rates may be found at the following link: [http://csp.education.ne.gov/Special\\_Education\\_Main.aspx](http://csp.education.ne.gov/Special_Education_Main.aspx)

The Rule 18 accreditation is a process that looks at the education program. It is completed by NDE by the Office of School Improvement and Accreditation. The Provisionally Approved Rate is an application with the Office of Special Education and looks at cost, staff and services the agency maybe serving school districts.

2. Where do I find a list of Rule 18 schools and residential settings who are service providers with approved rates?  
A list of the 2010-11 Rule 18 can be found on the NDE website at the following address:  
<http://www.education.ne.gov/sped/serviceagency/Residential%20Facilities.pdf>
3. What is the maximum age of a student to be claimed under 79-215(10)?  
The agency will submit the student’s information until the student reaches the age of 21 or receives a diploma. A student may complete his or her IEP and continue to be claimed under the Support Services funding.

4. How can school districts or NDE use flex funding money to pay for services of students who have not been identified?

The definition of “**Support Services**” is revised to include educational services provided to a child pursuant to 79-215(10)(c) by an interim-program school or an approved or accredited school maintained by a residential setting if such child has **not** been identified or verified as a child with a disability, but demonstrates a need for specially designed assistance by residing in a residential setting described in 79-215(10)(a).

5. If a student remains a resident of the district they resided in immediately prior to residing in the residential facility – and the resident district does not change when the child moves from one residential setting to another, what happens when neither the child nor the child’s parents reside in the district?

The student remains a **resident of the district he/she resided in immediately prior** to residing in the residential facility. The **resident district does not change** when the student moves from one residential setting to another

6. Which students does 79-215(10) apply to?

Student is **not a ward** of the State or any court and resides in a residential facility in Nebraska for reasons **other than to receive an education.**

7. What does the school district do if the residential setting does not maintain an interim-program school?

The resident district must contract with the district in which the residential setting is located for all education services including special education and support services unless the parent and resident district agree that an appropriate program will be provided by the resident district while the student is residing in the residential setting.

8. Who is responsible for the IEP?

The resident district remains responsible for student’s IEP, if any and the residential setting may contract for services through other providers

9. How does this effect Special Education funding?

Funding to support this statute comes from the same source as Special Education reimbursement , therefore this may reduce the amount money available for Special Education reimbursement to districts.

10. Is the claim form available in electronic form?

Yes, the form is available electronically. It can be found on the Special Education home page under the Service Agency tab. It is located under the 79-215 heading. Here is the link:

<http://www.education.ne.gov/sped/serviceagency/1087%20Form%20with%20description.pdf>

11. How do I know what my Agency Code Number is?

Your Agency code is the number assigned to your provisionally approved Service Agency application that is on file with the Office of Special Education. It is more commonly known as the "95" number, is followed by 4 digits and remains the same every year.

12. What is the other box called "Number" for and where do I find it?

This is the number assigned to the Interim Programs/ Rule 18 schools. It is assigned by NDE Office of School Improvement and Accreditation and this number stays the same every year.

13. If my agency had created a form, can I use it?

Yes, you can remake the form as long as all information is the same.

14. Am I required to have NDE student ID numbers?

Yes, you need to have the already assigned NDE student ID numbers to submit the claim. Agency should contact the resident districts to have numbers assigned if there is none.

15. Where do I find my Service Code number?

The service code number is the 4 digit number selected by the agency when filling out the service agency application. This can be found by accessing your service agency application.

16. Where does the completed form get sent to be submitted?

The claim needs to be sent to the following address:

Jill Weatherly  
Nebraska Department of Education  
Office of Special Education  
301 Centennial Mall South  
PO Box 94987  
Lincoln, NE 68509- 4987

17. Can I send the claim form electronically?

No the form must be submitted in paper form. You can use the electronic form and simply print and send to NDE.

18. If I have not completed my 2010-11 service agency application, when can I submit billing?

After you receive approval of the provisional service agency application you can submit the claims form.

19. What do the resident districts need to do as part of 79-215(10)?

Resident districts are responsible for IEP development and helping the agencies in locating NDE Student ID numbers. If the residential setting does not maintain an interim program school or approved or accredited school: the Resident district must contract with the district in which the residential setting is located for all education services including special education and support services unless the parent and resident district agree that an appropriate program will be provided by the resident district while the student is residing in the residential setting.