



NEBRASKA

DEPARTMENT OF EDUCATION

To: Nebraska School Superintendents and Special Education Directors

From: Steve Milliken, Administrator - Office of Special Education

Re: Guidance on Music Therapy and Recreation Therapy – Service Provider Rate Approval

Date: August 9, 2019

This communication is in response to the concerns brought to the Nebraska Department of Education – Office of Special Education relating to Music and Recreation Therapy as related services under 92 NAC 51 and The Individuals with Disability Education Act. Although Music and Recreation Therapy have been provided as a related service to children with disabilities in Nebraska for many years, the Nebraska Department of Education has recently been asked to provide clarification around the use of such therapies as a related service in special education.

Under 34 CFR §300.34, Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. The Department's interpretation is that the list of related services in the IDEA and the Part B regulations is not exhaustive and may include other developmental, corrective, or supportive services such as music therapy.

In Nebraska, 92 NAC 51-010.03 requires *related services personnel and paraprofessionals shall hold any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services.* 92 NAC 51-010.05 requires *personnel employed by approved service agencies shall be certified by the Department of Education or shall hold the credential or training required by the licensing standard under which the service providers operate.* Thus, any related service personnel and paraprofessional providing special education services in Nebraska must hold National Certification under which the service providers operate if there is not a comparable Nebraska licensure. With this National Certification, service providers must then uphold to 92 NAC 51-013.03A that specifies *with the exception of inservice providers and consultants who provide special education training for parent and staff which directly assist in providing appropriate programs for children with verified disabilities, all service providers contracting with a school district or approved cooperative shall seek approval and obtain a provisionally approved rate, service code and agency code for such services.*

The rates for Music and Recreation Therapy for 2019-2020 will be provided on a tiered basis and are as follows:

Tier I	National Certification only – Does not hold Nebraska Teaching Certificate or Permit	Music Therapy Code 4092	Recreation Therapy Code 4042	Rate \$20/Hr
Tier II	National Certification – Holds a Nebraska Teaching Certificate or Permit (no Special Education Endorsement)	Music Therapy Code 4091	Recreation Therapy Code 4046	Rate \$49/Hr
Tier III	National Certification – Holds a Nebraska Teaching Certificate or Permit with Special Education Endorsement	Music Therapy Code 4090	Recreation Therapy Code 4047	Rate \$61/Hr

These approved rates are reimbursable through a District’s IDEA Grant.

For more information regarding the provision of music therapy and recreation therapy please see the Questions and Answers on Individualized Education Programs, Evaluations and Reevaluation – June 2010 posted on the Nebraska Department of Education – Office of Special Education Website.

The following is the definition of Music Therapy and Recreation Therapy.

American Music Therapy Association

Music Therapy is the clinical and evidence-based use of **music** interventions to accomplish individualized goals within a **therapeutic** relationship by a credentialed professional who has completed an approved **music therapy** program.

The purpose is to address physical, emotional, cognitive, and social needs of individuals.

National Council for Therapeutic Recreation Certification

Recreational therapy, also known as **therapeutic recreation**, is a systematic process that utilizes **recreation** and other activity-based interventions to address the assessed needs of individuals with illnesses and/or disabling conditions, as a **means** to psychological and physical health, recovery and well-being.

The purpose of the RT process is to improve or maintain physical, cognitive, social, emotional and spiritual functioning in order to facilitate full participation in life. Services are provided or directly supervised by a “Certified Therapeutic Recreation Specialist” (CTRS).

