

FY14 High Need Fund (HNF) Manual

Division of Financial and Administrative Services Special Education Finance 2013-14

This manual reflects the Office of Special Education state plan for the implementation of a High Need/High Cost Fund meeting the requirements of Section 162.974, RSMo, and IDEA, Section 300.704 (c).

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PURPOSE

The High Need Fund was established pursuant to Section 162.974, RSMo, to provide funding support for a Local Education Agency (LEA) with “High Need Students.” These students are special education students whose educational costs exceed three times the LEA’s current expenditure per Average Daily Attendance (ADA). Reimbursement to LEAs under the High Need Fund for qualifying students is made without regard to disability or placement. **Students should NOT be claimed on the both the High Need Fund and Public Placement Fund applications.**

APPLICATION REQUEST

LEAs must apply for the High Need Fund on the DESE provided electronic application. The application must be received by November 30, 2013 for services provided during the 2012-13 school year to allow time for payment calculation and allocation. Applications must be completed and submitted electronically to spedfunding@dese.mo.gov. Again, the application is for expenditures incurred from July 1, 2012 through June 30, 2013. Providing funding is available, upon approval of the application, reimbursement is anticipated to be paid in January or February of 2014.

CURRENT EXPENDITURE PER ADA

The Current Expenditure per ADA can be found on the LEA’s Annual Secretary of the Board Report (ASBR) (the year in which the costs were incurred). The Current Expenditure per ADA is not available to individual LEAs until the most recent ABSR is finalized by School Finance. The High Need Fund Application with the Current Expenditure per ADA amounts will be posted on the High Need Fund webpage as they are finalized by the end of September each year.

CURRENT EXPENDITURE PER ADA REIMBURSEMENT

Reimbursement from the High Need Fund is based on the LEA paying all costs up to the statutory threshold, which is three times the LEA’s Current Expenditure per ADA. This amount is calculated by taking the LEA’s total expenditures and dividing by the total ADA. See example below for the reimbursement methodology behind the fund.

Step 1

LEA Current Expenditure per ADA	\$6,500
	<u>X3</u>
3x Current Expenditure per ADA	\$19,500

Step 2

Total Educational Costs for Student	\$32,000
<u>Subtract 3x Current Expenditure per ADA</u>	<u>\$19,500</u>
High Fund Reimbursement Amount	\$12,500

FUNDING

In addition to state funding for high need students, the reauthorization of IDEA in 2004 provides for additional federal funding for students meeting the federal definition for a High Cost Fund risk pool. This means that an LEA may receive a portion of funding for high need students from both state and federal sources. Payment receipts into the LEA from the High Need Fund should be coded as follows:

Revenue Code 5381 - Sp Ed High Need Fund - State
Revenue Code 5437 - Sp Ed High Need Fund- Federal

STUDENTS WHO MAY TRIGGER THE FUND

Any student with a disability whose educational costs exceed three times the Current Expenditure per ADA triggers the LEA's eligibility for the fund. Examples of students with expenditures that may trigger the fund include: students with personal aides and/or nurses, students with tuition and transportation costs for contractual placements, students with a large amount of related services, and students receiving one-on-one instruction.

FINANCIAL RECORDS

The LEA must maintain financial expenditures for individual students throughout the year. The following categories must be reported on the High Need Fund application by each student:

- Instructional Costs
- IEP Related Services
- Transportation (may require supporting documentation under certain circumstances)
- Contractual Services/Tuition
- Assistive Technology/Supplies
- Other (must include description for any costs reported under this category)

FISCAL MONITORING

DESE will randomly monitor selected LEAs on an annual basis to ensure compliance with SEA (State Educational Agency) and federal fiscal requirements. This monitoring will include HNF related documentation. LEAs must maintain and be able to provide documentation relating to the expenditures claimed on the High Need Fund application. If documentation can't be provided to the SEA during a fiscal monitoring review supporting HNF expenditures, the HNF reimbursement amount will be adjusted based on the actual documentation available.

APPLICATION INSTRUCTIONS

The application may be downloaded from the Special Education Finance website at:
<http://www.dese.mo.gov/divspeced/Finance/HighNeedIndex.html>.

The application is divided into seven sections as listed below. Data entry is required in all areas **except** those shaded in gray. Gray shaded areas contain formulas which automatically calculate specific totals. The application must be completed electronically for this feature to work.

- LEA Information
- Submission Directions
- Student Information
- Cost/Expenditure Information
- Description
- Signature

LEA INFORMATION SECTION

Enter the county district code, LEA contact person, and email address in this section. The current expenditure per ADA and the three times current expenditure fields will be automatically calculated after entering the LEA district code.

SUBMISSION INSTRUCTIONS

This section of the application provides general instructions and clarification of the types of costs which may be included in each of the cost categories. The application must be completed and submitted electronically to spedfunding@dese.mo.gov on or before November 30, 2013. A confirmation of receipt will be sent to LEAs.

COOPERATIVE SUBMISSION INSTRUCTIONS

Cooperative fiscal agents may not apply for High Need Fund reimbursement. A LEA participating in a Cooperative must apply for the High Need Fund for its own students using the LEA's Current Expenditure per ADA. LEAs may need to work closely with the Cooperative to determine the educational costs for each student as well as necessary agreements to reimburse those costs to the co-op. **High Need Fund applications will not be accepted from a co-op.**

STUDENT INFORMATION

Enter the Last Name, First Name, assigned MOSIS student ID number and date of birth for each student on the application. Please list the students in alphabetical order. Students participating in Early Childhood Special Education (ECSE) programs, unless they are kindergarten eligible and 5 years old, are not eligible for this fund as the ECSE program is reimbursed 100% by the SEA.

MEDICAID BILLING

The LEA must indicate if it billed Medicaid for reimbursement on Occupational, Speech, and/or Physical Therapy for a High Need Fund student. This will allow the SEA to ensure that funds paid under the High Need Fund are drawn from the appropriate funding source as IDEA does not allow federal disbursements under this fund to pay costs that otherwise would be reimbursed under the State Medicaid program under Section XIX of the Social Security Act.

COST/EXPENDITURE INFORMATION

The five categories in which a LEA may claim reimbursement are: Instructional costs, Related Services, Transportation, Tuition, Assistive Technology, and Other Expenditures. All expenditures reported on the application must be directly related to the student's education and supported by the student's Individualized Education Program (IEP). All expenditures not specifically allocated to an individual student, such as general education classroom participation must be prorated based on the number of students served. Salaries

of Special Education Directors and Administrators should not be claimed on the application as expenditures unless one-on-one time was spent with the student providing educational services. **IDEA does not allow expenditures for legal fees, court costs, or other costs associated with a course of action on a student with a disability.** Each cost category section is discussed in further detail below. All costs must be prorated based on the number of students served. Examples of prorated expenditures are show below under each section.

INSTRUCTIONAL COSTS

Instructional Costs may include Teachers (Regular and Special Education), Paraprofessionals, Interpreters and others as appropriate. Examples for calculating/prorating the cost of instructional staff for a particular student are shown below:

Example I: Self Contained

Teacher's salary plus benefits divided by the number of students in the class, and then prorated by the amount of time the student spends in the classroom.

$$\$45,000 \text{ salary and benefits} / 8 \text{ students} = \mathbf{\$5,625} \text{ per student}$$

Example II: Itinerant

Teacher's salary plus benefits multiplied by the percentage of time the student spends in classroom during the day, then divide by the number of students present during that percentage of time.

$$\$45,000 * 25\% \text{ of the day} / 3 \text{ students} = \mathbf{\$3,750} \text{ per student}$$

Example III: Elementary Classroom Teacher

Teacher's salary plus benefits divided by the number of students in the class, and then prorated by the amount of time the student spends in the classroom.

$$\$45,000 / 20 \text{ students} = \$2,250 \text{ per student} * 50\% \text{ of the day} = \mathbf{\$1,125}$$

$$\$45,000 / 20 \text{ students} = \$2,250 \text{ per student} * 1 \text{ out of 6 periods} = \mathbf{\$375}$$

Example IV: Elementary Non-Academic Classes (Art, Music, P.E.)

Teacher's salary plus benefits divided by the total number of students the teacher sees each week.

$$\$45,000 / 300 \text{ students per week} = \mathbf{\$150} \text{ per student}$$

Example V: High/Middle School Departmentalized for Regular Education

Teacher's salary plus benefits divided by the total number of students the teacher sees per day.

$$\$45,000 / 100 \text{ students per day} = \mathbf{\$450} \text{ per student}$$

RELATED SERVICES

Costs in the Related Services category may include, but are not limited to: Occupational Therapy, Speech Therapy, Physical Therapy, Orientation and Mobility, Braille Instruction, Counseling, ABA consulting, etc. Examples for calculating/prorating the cost of related services for a particular student are shown below:

Example I

A Speech Therapist has a total of 1800 minutes per week of therapy time with students. The salary and benefits total \$60,000. The therapist spends 60 minutes per week with Alex. In order to determine the portion of cost for Alex, use the following calculation:

$$60 \text{ minutes} / 1800 \text{ minutes} = 3 \%$$

$$3 \% * \$60,000 = \mathbf{\$1,800} \text{ per student}$$

If seen in a group session, prorate by the number of students.

$$\$1,800 / 3 \text{ students} = \mathbf{\$600} \text{ per student}$$

Example II

An Occupational Therapist is paid by an hourly rate of \$35 per hour. The therapist spends 20 minutes per week with one student. There are 36 weeks in the school year. In order to determine the portion of cost for the individual student, use the following calculation:

$$20 \text{ minutes} * 36 \text{ weeks} = 720 \text{ minutes per year}$$

$$720 \text{ minutes} / 60 \text{ minutes} = 12 \text{ hours}$$

$$12 \text{ hours} * \$35 = \mathbf{\$420} \text{ per student}$$

If seen in a group, prorate by the number of students.

$$\$420 / 2 \text{ students} = \mathbf{\$210} \text{ per student}$$

Example III

The LEA contracts with an ABA consultant to provide services for three students. The contracted rate is \$1,800 per month. In order to determine the portion of cost for one student, use the following calculation:

$$\$1,800 * 9 \text{ months (or actual \# of months of service)} = \$16,200 \text{ per year}$$

$$\$16,200 \text{ per year} / 3 \text{ students} = \mathbf{\$5,400} \text{ per student per year}$$

TRANSPORTATION COSTS

Costs in the Transportation category are typically for LEA operated regular bus routes, LEA operated routes for students with disabilities, individualized routes, cabs, contractual, and/or parent reimbursement.

Example I

Student rides an individualized/special education route. This may include: Bus, Cab, Contractual, and/or Parent Reimbursement. Actual costs for these routes should be reported on the application.

Example II

Student rides a LEA operated route for students with disabilities. Use actual prorated costs or Line 48 - *Cost per ADT for disabled students* from the BU110 School Transportation State Aid Formula Sheet (Cost per ADT for disabled students can be found on the supporting documentation tab on the HNF Application). Report this amount as the cost on the application.

Example III

Student rides a LEA operated regular bus route. Use Line 35 – *Non-disabled cost per ADT* from the BU110 School Transportation State Aid Formula Sheet or actual costs (Non-disabled cost per ADT can be found on the supporting documentation tab on the High Need Fund Application). Enter this amount as the cost on the application.

TUITION/COOPERATIVE/CONTRACTUAL COSTS

Costs in the Tuition category would include tuition to approved Private Agencies or other LEAs/cooperatives. The LEAs should report the actual cost from the invoices received on the student.

Example: Private Agency or Other LEA

Cost per day multiplied by the number of days in attendance.

\$80 per day * 162 days of attendance = **\$12,960** per year

Cost per month * number of months enrolled.

\$2,000 per month * 9 months enrolled = **\$18,000** per year

ASSISTIVE TECHNOLOGY (AT) COSTS/SUPPLIES

The assistive technology category may include, but are not limited to: Harnesses, Braille Writer, Speech to Text Software, Computers, etc. The LEAs will report the actual cost from the invoices received on the student. However, if the equipment is shared between students, it must be prorated. See example below.

Example

A Lifting Harness is utilized by 2 students. The cost of the harness was \$6,300.

\$6,300 / 2 students = **\$3,150** per student

OTHER / DESCRIPTION COSTS

This category is for all other educational costs that are associated with implementing the student's IEP. The LEA must include a description in the lines provided on the application under the worksheet labeled "Descriptions for Other costs" for any costs reported under this category. These costs are subject to DESE approval. Legal fees are not an approved expenditure under the IDEA requirements.

TOTAL COSTS

The Total Cost column on the application will automatically calculate based upon the information entered in the previous columns. The "3x Amount" and the "Requested Amount" will automatically calculate based upon the information entered in the previous columns. All three columns are for DESE USE ONLY.

ASSURANCE STATEMENT

The assurance statement box must be checked and the Superintendent's name typed in the indicated area, certifying that the Superintendent agrees with the following statement:

The Superintendent assures that the expenditures listed herein have been made solely on behalf of these students and that they are accurate to the best of his/her knowledge. Documentation must be maintained in the LEA for 3 years after the reimbursement date. The LEA is subject to fiscal monitoring of all documentation used to support the expenditures reported on the HNF application. The LEA understands that if monitored, and appropriate HNF documentation cannot be provided to the SEA, HNF reimbursements for which no documentation is available will be returned to the SEA either by direct repayment from the LEA to the SEA or adjustment to a future HNF payment at the discretion of the SEA.

CODING FEDERAL HIGH NEED FUND REVENUE

The Cash Management Improvement Act (CMIA) requires districts to demonstrate when receiving federal funds that the district has either already expended the federal funds or will spend the federal funds within three business days of receipt by matching the funds to a specific expenditure.

Districts that receive federal funds through the High Need Fund payments must ensure funds are re-coded to special education high need expenditures originally paid with state funds in the current year or expending funds on any current year special education high need expenditure within three days of receipt of the federal

funds to be in compliance with the CMIA. It is up to the district to determine on which special education high need expenditures federal funds are expended and to ensure that federal expenditure requirements are followed for those expenditures.

Re-coding Expenditures:

Step 1:

Incur Expenditure and Code to General Account/State Funds in General Ledger
1221-6300 \$1200.00 9/10/13

Step 2:

Receive Federal Funds in Monthly School Payment Transmittal
Federal amount \$1200.00 1/21/14

Step 3:

Journal Voucher to Recode the Expenditure to Federal (“41”) Account within 3 Days
1221-6300 -\$1200.00
1221-6300-41 \$1200.00 1/23/14

Expending Federal Funds within Three Days:

Step 1:

Receive Federal Funds in Monthly School Payment
Federal amount \$500.00 1/21/14

Step 2:

Incur and Code to Federal Account (“41”) within 3 Days
1221-6300-41 \$500.00 1/23/14

Please note for payroll transactions, to consider the funds “spent” the payroll transactions should be recorded on the books **and** the funds delivered to the employees.

Journal vouchers involving federal funds towards payroll, equipment, and/or contracted services may have to follow additional federal requirements. For payroll, ensure employees sign a semi-annual certification form or personnel activity report (PAR). For equipment, ensure it is added to an inventory log. For contracted services, ensure the contract process followed district procurement requirements. For more information on federal fiscal guidance, please visit <http://dese.mo.gov/divspeced/Finance/FiscalMonitoring.html>.

POLICY AND LEGISLATION INFORMATION

Missouri High Cost Fund Policy & Legislation **(Section 162.974, RSMo, and IDEA 300.704 (c))**

The Missouri High Need Fund was established pursuant to Section 162.974, RSMo, to provide funding support for districts with “High Need Students.” These students are special education students whose educational costs exceed three times the district’s Current Expenditure per Average Daily Attendance (ADA). Reimbursement to districts under the High Need Fund for qualifying students is made without regard to disability or placement.

Prior to the implementation of the High Need Fund, the Extraordinary Cost Fund (ECF) was implemented (in 1998) for the purpose of assisting Local Education Agencies in addressing the needs of high needs children with disabilities. Individual school districts could access the ECF when serving children with disabilities whose educational costs exceeded five times the district’s Current Expenditure per Pupil.

With the passage of IDEA, 2004, the State Education Agency’s ability to access the full Part B federal grant was tied to the use of 10% of the amount of funds reserved for “other State-level activities” dedicated to districts serving high need children.

Two options are available to SEAs in use of these federal Part B funds: (1) To finance and make disbursements to local school districts/local education agencies or LEAs for expenditures related to high cost children, and/or (2) Support innovative and effective ways of cost sharing utilizing no more than 5% of the funds by the state, by an LEA or among a consortium of LEAs. No funds so reserved may be used to establish, support or administer the fund.

Missouri has elected to participate in the high need program (option 1) and annually commits a minimum of 10% of the amount of funds reserved for “other State-level activities” for this purpose. Option 2 is not utilized.

SEA Federal requirements relating to the High Cost Fund include:

1. Development, not later than 90 days after the state reserves funds for the high need program, a state plan for the operation of the high cost fund (referred to as the High Need Fund [HNF] in Missouri). The basic state plan was implemented in 1998 prior to the requirement for a plan and was reviewed annually and amended/modified as necessary over the years. In 2005, the state legislature passed Senate Bill 287 which included a provision requiring the state to fund and operate a state funded “high need fund” to address the needs of school districts educating children with disabilities whose educational costs exceed three times (3x) the district’s Current Expenditure per ADA. IDEA 2004 provided a definition of a high need child but also allowed states with a high need program created no later than January 1, 2004 (and current in operation) to utilize that existing criteria in place of the definition found in 300.704 (c) (3)(i)(A)(2). Missouri has elected to utilize the criteria in the existing ECF fund for the federal portion (above 5x the CEPP) of the state’s High Need Fund.
 - a. The state plan for the high need program was developed during the legislative process leading up to the passage of SB 287 in consultation and coordination with a selected group of school districts and advocates during a series of meetings to gain LEA support for the

passage of the High Need Fund legislation. Currently state statute defines the operation of the state's High Need Fund, of which a portion is funded with federal Part B funds.

- b. The High Need Fund (Section 162.974, RSMo.) addresses the financial impact a high need child with a disability has on the budget of an LEA by mandating reimbursement to all school districts including special school districts for the educational costs of high need children with an Individual Education Program (IEP).
- c. The High Need Fund (Section 162.974, RSMo.) requires that the cost of the high need child to exceed 3 times the average per pupil expenditure before a school district may access the fund.
- d. The High Need Fund (Section 162.974, RSMo.) establishes eligibility criteria for the participation of an LEA. The Missouri HNF does not look at percentage or number of high need children as 34 CFR 300.704 states, but rather requires the fund to reimburse a district for the costs exceeding the statutory threshold for all children with IEP related educational costs.
- e. The SEA ensures that that placements supported by the fund are consistent with the requirements established by IDEA 2004 through ongoing required monitoring of special education programs across the state.
- f. The High Need Fund (Section 162.974, RSMo.) establishes a funding mechanism that provides distributions each fiscal year to LEAs that meet the criteria developed by the state. The funding mechanism is tied to the identification of eligible costs by eligible child reaching a statutory threshold. An annual state appropriation is provided specifically for this purpose. Slightly more than 90% of the HNF is state funded.
- g. The High Need Fund (Section 162.974, RSMo.) establishes an annual schedule by which the SEA must make program distributions. The state statute requires the annual reimbursement of appropriate expenditures based on a timely application by the LEA on a schedule as determined by the SEA. The application due date is November 30 for expenditures incurred in the prior school year. The application deadline is based on the submission and final clearance of the district's annual financial report (ASBR) to the Department which is the basis for the expenditure per pupil calculation.
- h. The SEA does not reserve any portion of the high need funds for supporting innovative and effective ways of cost sharing as described in IDEA 2004. All funds in the state's High Need Fund are used to reimburse expenditures for high cost children at the school district level.
- i. The SEA will make all annual payments under the High Need Fund in accordance with this plan.
- j. Reimbursable Costs: All costs associated with educating a high need child with a disability as defined in IDEA 2004, to provide direct and related services to a child as defined in the child's IEP, including the cost of room and board for a residential placement are eligible under the HNF.

- k. Non-Reimbursable Costs: Expenditures supporting legal fees, court costs or other costs associated with a cause of action brought on behalf of a child with a disability to ensure FAPE for the child. Students over the age of 21 are not eligible for the HNF, as FAPE is only required for student until the age of 21.
- l. The SEA does not establish a limit on the amount of expenditures used to educate a child with a disability.
- m. The SEA declares that the Extraordinary Cost Fund (in existence since 1998 to meet the high cost needs of school districts providing a placement neutral cost sharing and reimbursement program of high need, low incidence, catastrophic, or extraordinary aid to LEAs based on a state established eligibility criteria) meets the federal definition of a high need fund created no later than January 1, 2004. The SEA utilizes the criteria found in this pre-existing program instead of the eligibility criteria found in 300.704(c) of IDEA 2004.
- n. Federal funds reserved for the High Need Fund but not expended for this purpose before the beginning of their last year of availability for obligation will be allocated to the LEAs in the same manner as other flow-through funds are allocated to the LEAs.

FREQUENTLY ASKED QUESTIONS

1. This application does not require a lot of detailed expenditure documentation. Does the LEA have to keep documentation of the expenditures reported on the application?

ANSWER: Yes, the LEA must keep all supporting documentation and calculations used to determine costs for the High Need Fund for a period of three (3) school years from the date of reimbursement of High Need Funds. DESE reserves the right to review this documentation at any time and make adjustments to the HNF calculation/reimbursement.

2. What will happen if the LEA fails to keep copies of documentation used to support HNF calculations?

ANSWER: If the documentation is not available for review during the three year period as outlined above, the assumption will be made that the costs cannot be supported for that year. An adjustment may be made to reduce a current year reimbursement equal to an amount that cannot be supported by documentation.

3. Should support and related services expenditures be claimed under related services or instructional costs?

ANSWER: It doesn't matter where the expenditure is reported on the application as long as the LEA can document/justify the cost.

4. Can LEAs claim warranties on assistive technology equipment?

ANSWER: Warranty and required maintenance costs for IEP specified assistive technology is allowable.

5. Many of the LEA's special education children do not generate enough costs on an expenditure per ADA basis to allow the LEA to access the HNF.

ANSWER: The HNF was never intended to provide reimbursement to a LEA for all special education students. This fund was designed to be a "safety net" for LEAs with extremely high cost students. LEAs are responsible for all costs up to 3 times the current expenditure per ADA using federal, state and local revenues.

6. Can the LEA claim the cost of a bus if it is required to transport a special needs student?

ANSWER: If a school bus is a part of the LEA's regular bus fleet and is an amortized cost which is considered an allowable cost for state transportation aid reimbursement, then no. However, it could be allowed if the bus is specialized and specifically for a student with an IEP.

7. Can the LEA apply for reimbursement through both the Excess Cost for Public Placement and High Need Fund if they have a student qualifying for both funds?

ANSWER: No, the LEA may access only one fund per student.

8. Can the LEA claim a portion of facility costs (building/utilities/insurance/maintenance and upkeep, etc) through the HNF?

ANSWER: The LEA may only claim facility costs if the LEA operates the facility for the purpose of serving High Need Students.

9. Can costs for Renovation/Construction be claimed?

ANSWER: No, renovation and construction costs are unallowable costs for the HNF application.

10. Can the 3x the Current Expenditure per ADA amount be prorated if the student only attended a partial year?

ANSWER: No. The statute does not allow for prorating the threshold the LEA must meet.

11. How does the LEA know which students to target for the fund?

ANSWER: Students whose educational costs may exceed 3 times the Current Expenditure per ADA may include, but are not limited to those students who meet the following criteria:

- *Students in contractual placements*
- *Students with a Personal Aide/Interpreters*
- *Students with a large amount of Related Services*
- *Students with private nurses*

12. Can the Cooperative Fiscal Agent apply for the Cooperative?

ANSWER: No, the member LEAs must each separately apply for their LEA. Member LEAs must work closely with the cooperative for accurate costs, or LEAs may claim actual fees paid to the cooperative.

13. How does Medicaid affect the HNF reimbursable amount?

ANSWER: The amount billed for Medicaid does not affect the amount of reimbursement to a LEA. It only affects which funds are used to reimburse the LEA.

PUBLIC COMMENT FORM

The Office of Special Education allows public input on the structure and operation of the High Need Fund. Please complete the form below with any comments, concerns, or suggestions regarding the fund, and return to:

DESE – Division of Financial and Administrative Services
Attn: Special Education Finance
PO Box 480
Jefferson City, MO 65102

Name (Optional):

Phone Number (Optional):

Residing School District:

Comments/ Concerns/ Suggestions: