



## Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

To: Superintendents, Special Education Directors

From: Dr. Nancy J. Holsapple, Director of Special Education

Sarah Fields, Senior Fiscal Specialist

Date: May 13, 2022

Subject: Updates to Special Education Excess Cost (SEEC) Funding

In preparation for the upcoming fiscal year end on Thursday, June 30, the Indiana Department of Education (IDOE) provides the following guidance on future use of SEEC funding. Due to state contracting processes, IDOE will be unable to process any new requests for contracts between Friday, April 1, and the beginning of the 2023 fiscal year on Friday, July 1. Applications can continue to be submitted during this time; however, any notification of approved funding and request for contracts will not be processed until after Friday, July 1.

During the 2022 fiscal year, applications from local educational agencies (LEAs) requesting financial assistance to supplement the costs of residential placements, day programs, and specialized 1:1 instructional assistants have significantly increased, as have vendors' rates. In light of these increases, IDOE's Office of Special Education (OSE) is reexamining the policies, procedures, and allowable costs currently in place to ensure the greatest number of students receive support through this fund.

A stakeholder group has been formed and will be meeting to discuss, update, and revise the current SEEC processes. After the stakeholder group meets, the field will be notified of any additional new policies and procedures relating to SEEC funding by Wednesday, June 15.

### **The following information is effective immediately for all SEEC applications:**

Article 7, 511 IAC 7-47-1 (D) states that, "Approval of an application for excess cost funding cannot be retroactive, and expenses incurred prior to the date of approval are not eligible for reimbursement."

To further align with Article 7, the start date of all contracts will be determined as the date the application is *approved*.

It is the responsibility of LEAs to cover all expenses for the time between the submission of an application and the date of funding approval. Contracts will not be approved retroactively under any circumstances, including in the event of a gap between contracts, the date a student began receiving services or the date of the Case Conference Committee will not determine the date funding begins.



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LEAs should plan ahead, as the expected timeline for review of applications and funding approvals may take up to two weeks.

What does this mean?

- For reapplications:

**The Case Conference Committee meeting determination and application for the continuation of funding must be completed and submitted to OSE at least one month prior to the end date of the currently-executed contract.** This will allow time for OSE to review the application, ask follow-up questions, and resolve issues that may arise to ensure the start date of the new contract can begin the next instructional and/or calendar day from when the previous contract ended. Submission of applications less than one month prior to the end date of the current contract could result in a gap between funding and will be the financial responsibility of the LEA.

- For initial applications (including move-in students placed in a facility by a previous LEA):

Following the Case Conference Committee, LEAs should submit an application for SEEC funding as soon as possible. Any gap between the committee meeting, when the student started receiving services, and the approval of funding will be the financial responsibility of the LEA. The expected timeline for review of applications and funding approvals may take up to two weeks; LEAs should be prepared to cover expenses that occur during this time.

Notification of funding approval for applications that were submitted after Friday, April 1, and prior to Friday, July 1, is dependent upon the new process established by IDOE and will be sent once the funds for FY 2023 become available and new processes are implemented.

LEAs should continue to pay all vendor invoices to avoid jeopardizing student placements. Once the FY 2023 funding is available, expenses will be reimbursed in accordance with the approved contract.

LEAs will be notified of the execution of contracts and the ability to submit invoices for reimbursement once the contract process has been completed.

Any questions or concerns regarding the information provided should be directed to IDOE's Senior Fiscal Specialist, [Sarah Fields](#).