

Noneducational Community-Based (NECB) Support Services: Frequently Asked Questions (FAQs)

1. What is the purpose of these funds?

The Texas Legislature appropriates funds to implement Texas Education Code 29.013 for these services. The funds may be used **only** for eligible students with disabilities who would **remain or would have to be placed in residential facilities** primarily for educational reasons without the provision of noneducational community-based support services.

2. What types of services can be purchased with these funds?

These funds are intended to support families in efforts to return a student with a disability currently placed in a residential facility to the home, or to prevent a student with a disability who is being considered for residential placement from being placed in a residential facility.

These services are not intended to be intensive or long-term but rather, periodic and short-term.

Some allowable noneducational services and their definitions are listed as follows:

- **Respite Care** – Providing relief to parents and/or family with intermittent, short-term care (e.g. weekends, during school holidays). Regularly scheduled periods of respite care over an extended period of time is not allowable.
- **Attendant Care** – Providing occasional outside assistance to parents and families. These services should be provided to normalize routine family activities, including hours when families must sleep. Attendant care is not allowable for baby-sitting or to replace day/night care services.
- **Psychiatric/Psychological Consultation** – Consulting with the student, family, and all persons involved in providing noneducational services, or in causing them to be provided. The focus of consultation should be to develop a functional family unit. This service excludes medical or treatment related services.
- **Management of Leisure Time** – Working with the student to develop skills that enable the student to entertain him or herself appropriately without adult supervision. This service is closely related to socialization training.
- **Socialization Training** – Working with the family to help the student develop appropriate skills and behavior in public. This training is closely related to leisure time management.
- **Individual Support** – Preparing the student to be healthy and productive by developing self-esteem.
- **Family Support** – Working with the family to develop a functional family unit.
- **Family Dynamics Training** – Providing training for the family to determine family values, goals, and expectations (more intensive than family support).
- **Generalization Training** – Training the student and family to use a behavior management plan outside the structured, educational environment. This training may include modeling parenting skills.
- **Peer Support Group** – Working with a group of students to develop appropriate interaction skills.
- **Parent Support Group** – Working with a group of parents to develop coping and behavior management skills.
- **Transportation** – See question 11 for more information

3. What are examples of UNALLOWABLE expenditures?

- Direct payment to parents or to a business or corporation that the parent owns.
- Equipment
- Sheltered workshop services
- Babysitting (this includes attendant care when no family member is available or caring for a child while the parent is at work)
- Remodeling or construction of the student's classroom or home
- Food
- Transportation to any educational service or any service being provided by another public agency
- Medicine, medical prescriptions, doctor and dentist visits, medication therapy, evaluations
- Special education and related services required for the provision of Free Appropriate Public Education (FAPE) as documented in the student's Individualized Education Program (IEP). For example, if the Admission, Review, and Dismissal (ARD) committee of a student who has autism has determined that the student requires in-home training or viable alternatives and parent training for the provisions of FAPE, those services cannot be covered with noneducational funds.

4. What if the student is at risk of residential placement for reasons other than educational purposes?

These funds are not intended to provide services for students who are at risk of residential placements for noneducational reasons. Thus, these students **CANNOT** be served with these funds.

5. Who may apply?

Local Educational Agencies (LEAs) must apply directly through the Education Service Center (ESC) 10 website using their online application. [Link to apply](#). Parents wishing to receive these funds must first contact their child's school and ask the school to apply for these funds.

6. Are students who are enrolled in private schools, including homeschools, eligible for noneducational funds?

No. Students who are not enrolled in public schools are not eligible to receive noneducational funds.

7. Is parent training an allowable use of funds?

It depends on the nature and purpose of the parent training. If training supports the student's Individualized Education Program (IEP), it is considered an educationally related service and must be paid with special education funds. If generalization training is necessary to teach parent(s) effective parenting skills and how to manage the student in the home and community away from an educational structure, noneducational support services funds can be used. In this instance, the district provides an educational program for the student while parents acquire necessary management skills. Additionally, parents may receive training in the areas of socialization and family dynamics as offered through family support groups.

8. Can these funds be used to purchase services from a psychiatrist?

It depends on the nature of the services to be provided. The funds can pay for such services as family consultation and for teaching parents effective management or parenting skills. Funds may NOT be used to pay for a psychiatrist providing treatment for a student, writing prescriptions for medications for students, or any other medical or treatment-related service.

9. Can these funds be used to purchase additional educationally related services or to pay for a student to receive vocational training in a sheltered workshop?

No. The law states that services provided with these **funds must be noneducational** in nature.

10. Can these funds be used to purchase equipment for a student to use at home?

No. The legislative intent of these funds is for Local Educational Agencies (LEAs) to purchase **approved services** rather than equipment.

11. What transportation services may be provided with these funds?

Transportation that is necessary for families to receive services approved in the district's application is allowable. Transportation for students to receive noneducational services, such as socialization, is also allowable. Transportation as a related service that is required to assist the student to benefit from special education, as well as transportation and per diem for staff to receive training at a residential facility must come from education funds and therefore, is NOT allowable with noneducational funds.

12. Is it allowable to receive reimbursement for daily services from these funds?

No. Noneducational community-based services funds are not intended to maintain services over an extended period of time. **Services should be periodic and short-term.**

13. What qualifies a person to provide respite or attendant care?

Local Educational Agencies (LEAs) determine the qualifications for respite/attendant care givers. LEAs can contract with agencies that are licensed by the Texas Health and Human Services Commission. This may include family members who are not the primary care giver.

14. If a Local Educational Agency (LEA) is paying paraprofessionals (non-exempt) to provide respite care, does the LEA have to pay overtime? How should they be paid?

The LEA should consult with their Human Resources department.

15. Who determines the funding amounts awarded?

Education Service Center (ESC) 10 makes a determination on the amount of funds awarded based upon various criteria, including the amount of requested funds from Local Educational Agencies (LEAs), the availability of funds, and other criteria.

16. Can Education Service Center (ESC) 10 deny an application submitted by a Local Educational Agency (LEA)?

Yes. If ESC 10 determines that the request for funds is not aligned with the types of services addressed in question 2, it may deny an LEA's application for funds. ESC 10 may also deny an application if funds are no longer available.

17. What should the Local Educational Agency (LEA) do to reduce the risk of misuse of noneducational funds by a family?

The LEA should closely monitor the activities and services utilized. Should the LEA discover a misuse of funds, they should contact Education Service Center (ESC) 10 immediately.

18. Whose responsibility is it to decide what noneducational support services are going to be provided?

The Local Educational Agency (LEA), involving other appropriate persons, has the responsibility. The LEA should have a planning meeting to discuss options for noneducational services. Persons attending the planning meeting should be district staff knowledgeable about the student and other agencies' responsibilities and may include staff from Community Resource Coordination Groups (CRCG), local mental health authority, local behavioral health authority, or other potential service providers, and the parent(s) and/or adult student. **The student's Admission, Review and Dismissal (ARD) committee SHOULD NOT make the decision.**

19. What is the role of the Community Resource Coordination Groups (CRCG)?

While the Local Educational Agency (LEA) has the primary responsibility of determining what noneducational support services are going to be provided, the CRCG may assist, but is not required in the planning process.

20. Are Local Educational Agencies (LEAs) required to use noneducational funds?

No.

21. Is there a cap or ceiling on the amount of noneducational funds for which a Local Educational Agency (LEA) may apply?

No. Continued use of these funds is based on documented progress made by the student during the previous year, when services supported by these funds were used. LEAs are reminded to justify and provide a detailed explanation of requested services.

22. If a Local Educational Agency (LEA) applies for noneducational funds, does the district have to contribute an amount equal to 25% of its IDEA-B Formula funds?

No. This does not affect the LEAs IDEA funding.

23. Can noneducational funds be used to pay parents directly?

No. All expenditures must be paid by the Local Educational Agency (LEA) to service providers. Additionally, the student's parent cannot be the service provider, nor may businesses or corporations owned by the student's parent.

24. What if a noneducational contract terminates before the end of the approved period?

A cost revision to the Application for Approval of Funding for Noneducational Community-Based Support Services should be submitted to Education Service Center (ESC) 10 when the total amount of these funds requires changes from the amount first approved.

25. Can noneducational funds follow a student if he or she leaves the Local Educational Agency (LEA) and enrolls in another LEA?

It depends. If a student withdraws from an LEA and enrolls in another LEA within the same region, the funds may follow the student. However, the decision to apply for the noneducational funds is up to the receiving LEA. If a student withdraws from an LEA and enrolls in an LEA in a different region, the funds do not follow the student. The receiving LEA must submit a new application to receive these funds.

26. Who may sign off on the Local Educational Agency's (LEA's) noneducational funds application?

The superintendent or designee.