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## Residential Reimbursement Model

On September 9<sup>th</sup>, 2021 the Texas Education Agency (TEA) notified LEAs of a change to the nonpublic residential IDEA-B funding model. Beginning with the 2021-2022 school year, TEA will fund nonpublic residential placements as an annual reimbursement. For additional information and details, please review the [To The Administrator Addressed Correspondence](#) pertaining to this change.

## Legislative Updates

The 87<sup>th</sup> Regular Session of the Texas Legislature adjourned on May 31, 2021. The [87<sup>th</sup> Legislature Texas Education Agency Briefing Book](#) contains summaries of laws affecting public education and public school districts. LEAs are responsible for ensuring nonpublic day and residential facilities serving public students are aware of changes that impact service delivery for nonpublic placements.

## Extended School Year

Question: If a Nonpublic/Off-Campus day or residential program operates on a year-round calendar, does the Admission, Review, and Dismissal (ARD) committee need to determine Extended School (ESY) services?

- Yes. Any special education services that are provided beyond the regular LEA school year are considered ESY services and must be determined on an individual basis by the ARD committee.

Topic: Nonpublic Contracts and ESY

- Many nonpublic facilities commonly contract on a year-round basis. It is recommended that nonpublic contracts reflect actual services outlined in the student’s IEP at the time of placement. Projecting or pre-determining ESY services can lead to delays in processing LEA nonpublic day and residential applications.

## Locating LEA ABA for Residential Applications

When entering funding information for a nonpublic residential application, the TEAL application will ask the LEA to enter an amount for LEA ABA. [Directions for Locating LEA ABA for Residential Applications](#) can be found on the [Nonpublic Webpage](#).

## Nonpublic Restraint Reporting

Beginning in the 2021-2022 school year, restraints for students in nonpublic day and nonresidential settings should be reported as part of the LEA's summer PEIMS submission. The new [E1725 NON-MEMBERSHIP-DISCIPLINE-RESTRAINT-INDICATOR-CODE](#) captures restraint data for students in nonpublic day and residential placements (as well as any other students accessing special education services who are enrolled, not in membership.) Students in off-campus programs with instructional setting codes 91-98 will also continue to be reported as part of the summer PEIMS submission.

## HCF Personnel Prorating Update

Prior to the 2021-2022 school year, special education service provider minutes eligible for High Cost Fund reimbursement was limited to 1,800 minutes per week. Based on LEA and ESC survey feedback over the past several years, this limitation reduces the number of in-district placements eligible for high cost fund reimbursement. In an effort to maintain a focus on LRE and students remaining in their community, the limit has been removed to allow LEAs to enter actual service provider minutes reflected in the IEP. LEAs submitting HCF applications for in-district placements will still be expected to provide IEP documentation for all services submitted for reimbursement. *Some service provider types may still have minute-per-week limits in accordance with state and federal funding guidelines; needed adjustments will be made by TEA staff during application reviews.*

## Important Links

[Nonpublic Webpage](#)

[High Cost Funds Webpage](#)