



**Region 9 Education Service Center
Noneducational Community-Based Support Services Funding
Questions and Answers**

1. What kind of services can be purchased with these funds?

These funds are used for noneducational support services in the home and allow a student currently in a residential placement for educational purposes to return home or prevent a student at risk for residential placement for educational purposes from being placed residentially. The intent of state legislation is for districts to provide services that are not allowable purchases from education funds, to help families of this population care for the student, and to enable families to better cope with having an individual with a disability at home. 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)
- ◆ **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.

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

School districts determine the qualifications for respite/attendant care givers. Districts can contract with agencies that are licensed by the Texas Department of Health as Home and Community Support Service providers. However, if licensed providers cannot be found other options could be used which include exemptions listed in HB1551 Section 6. This would include family members who live in the same home, other persons who are hired and paid directly by the client's family, or persons that are providing sitter-companion services and not providing personal care, health or health-related services. This could include relatives who do not live in the same residence.

3. 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 and per diem for staff to receive training at a residential facility must come from education funds.

4. 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 individual education plan (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) 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.

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

Yes. 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.



6. 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.

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

No. The legislative intent of these funds is for school districts to purchase approved services, rather than material goods. Other public agencies provide equipment on a limited basis. In some instances, local service clubs raise funds to purchase equipment for an individual as a service project.

8. Would a request for these funds to remodel or build an addition to the family home or to provide medical treatment, medication therapy, or medicine be approved?

No. Although these are noneducational services, such requests are far removed from the intent of the legislation and purpose of these funds, and would not be approved. Alternative funding sources might be in-home and family support funds or regular core service funds provided by MRAs and MHAs.

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

The school district, involving other appropriate persons, has the responsibility. The district 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, staff from the local MRA/MHA/CRCG 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. If the ARD committee does address this issue, it should be as a discussion item only. The ARD committee is only authorized to make educational decisions and should not commit the school district to noneducational services by formally including decisions and recommendations for noneducational services in the ARD process.

10. Are districts required to use these funds?

No. Districts are encouraged to evaluate each student currently residentially placed or at risk for residential placement and determine whether these funds could be used to provide special education in a less restrictive environment.



11. Is there a cap or ceiling on the amount of noneducational funds for which a district may apply?

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

12. If a district applies for noneducational funds, does the district have to contribute an amount equal to 25% of its IDEA-B Formula funds?

No. The amount equal to 25% of the IDEA-B Formula funds is applied only to related services and the daily rate for residential placements.

13. (a) What if the MRA or MHA does not have or is unwilling to provide needed noneducational support services?

If the MRA or MHA is unwilling to provide services with additional funds, or does not provide them as part of routine service delivery, the district should consider contracting with other public service providers. Private providers may be used when public providers cannot be located.

- (b) What if the MRA or MHA is willing to develop and provide noneducational services, but disagrees with the district about who to hire for this purpose?

The district makes the final decision because the district is ultimately responsible for providing services, or causing them to be provided, and for managing funds.

14. What if the district and the MRA or MHA design a plan to educate the student in the local special education program and provide educational support services for the family, but the parents demand residential placement?

The plan should be developed in conjunction with the parents. If the parents refuse recommended services, the school district and the ARD committee responsibilities remain the same: determining educational needs, developing an IEP, and selecting the appropriate setting/placement in which to implement the IEP.

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

Students who are at risk for noneducational reasons CANNOT be served with these funds.



16. Is it appropriate to request 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.

17. Can the services listed in question 1 be provided for students with autism?

No. Services for attendant and respite care, however, are allowed, if appropriate. In-home training or viable alternatives and parent training that support the student's individual educational plan must be paid with educational funds as required by 19 TAC §89.1055(e).

18. What if a noneducational and/or residential 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 and/or Residential Placement should be submitted when the total amount of these funds require changes from the amount first approved.

19. Can these funds be used to pay parents directly?

No. All expenditures must be paid to service providers by the district.