

PUPILS WITH DISABILITIES-SUMMER PLACEMENTS
(Twelve-month education programs)
Section 4408

Definition: School districts are responsible for providing special education services and programs during July and August to school-age pupils with disabilities. Services may be provided directly or by contract with BOCES, another school district, or a private agency.

The CSE must consider eligibility of pupils for twelve-month special services and programs in accordance with the need to prevent substantial regression. Part 200.1 of the Commissioner's Regulations defines substantial regression as a student's inability to maintain developmental levels due to a loss of skill or knowledge during the months of July and August. This loss must be severe enough to require an inordinate period of review at the beginning of the school year to reestablish and maintain IEP goals and objectives mastered at the end of the previous school year.

Summer programs for pupils with disabilities must operate for 6 weeks and be funded for 30 days of service during the months of July and August (including tuition, transportation and maintenance costs). A legal holiday observance for Independence Day constitutes a day of service.

Full time extended school year special education programs must operate for 5 hours per day for elementary students and 5 1/2 hours per day for secondary students. All programs or services must be provided by appropriately certified/licensed professionals, and must meet the requirements of the child's IEP.

Eligible pupils whose 21st birthday is between July and August are allowed to receive extended services during July and August of that year, but are not eligible to receive services after August 31st.

<u>TYPE OF PROGRAM</u>	<u>DISTRICT CLAIMING</u>	<u>COUNTED AS</u>	<u>AID GENERATED</u>	<u>PAYMENT</u>
DISTRICT-OPERATED	RESIDENCE	4408 SUMMER PLACEMENT	80 % OF APPROVED & VERIFIED COST IS PAID TO THE DISTRICT OF RESIDENCE AND FORWARDED TO THE EDUCATING DISTRICT (EXCEPTION: CHAPTERS 47, 66 & 721 REIMBURSED AT 100%)	SEE BELOW*
OTHER PUBLIC	" "			
BOCES	" "			
APPROVED PRIVATE SCHOOL	" "			

1. The public school district with CSE responsibility must enter and verify information (education, transportation and maintenance) into the STAC online system in order to receive reimbursement for students attending summer special education programs.
2. Aid will be paid at 80% of the approved and verified cost. [Exception: students with disabilities in summer programs under Chapters 47, 66 and 721 will be reimbursed at 100% of the approved cost. There is a separate application at the STAC online system A for these Chapter placements. Report such pupils as a Chapter placement (47, 66 or 721) rather than as a summer (4408) placement].

*Statewide payments under 4408 will not exceed 70% of state aid due for the sum of approved tuition, maintenance, and transportation expenses in the current year. When funds become available in subsequent fiscal years, the remaining 30% of state aid due will be paid. Eligible claims will be paid in the order they are approved by the SED Commissioner. Partial payments will be made when there are insufficient funds to make a complete payment and the claim will retain priority date status for payment from future years' appropriations. A single payee may not receive more than 45% of the statewide appropriation.

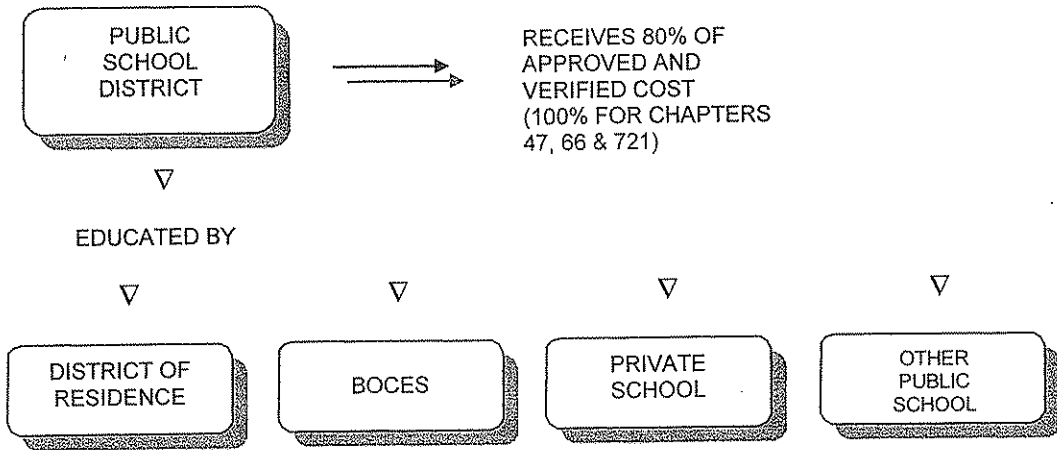
3. The local school district is responsible for contracting with other school districts, BOCES, or approved private schools and paying for the services at tuition rates established by SED.
4. SED must approve all program providers - both public and private.
5. Program providers are responsible for obtaining approved rates for programs by submitting necessary financial data to the Rate Setting Unit. The ST-3 Supplemental Schedules SS10-SS16 are the reports used for establishing rates for public school programs.

Transportation: Claim transportation expenses for aid through the STAC online system. Transportation expenses for students with disabilities in summer programs are reimbursed at 80% of the approved cost (**Exception:** Chapter 47, 66 and 721 pupils are reimbursed at 100%). Without filing a separate form titled "Explanation/Correction of Student Transportation Costs" to document per student expenses, SED limits the cost aided during the summer session to \$5,500 per student. File a separate form for each case where the per student cost of summer transportation exceeds this threshold for school years 2010-11 and later. Prior to the 2010-11 school year, the threshold for filing the form was \$5,000.
<http://www.oms.nysed.gov/stac/transform.pdf>

Forms Required: (STAC-1 OR STAC-Reapplication, STAC-3 (Approval), AVL) - Complete all using STAC Online – Complete ST-3 Special Aid Fund Entries, interfund transfer to cover 20% local share cost and ST-3 Supplemental Schedules SS10-SS16

Laws and Regulations: Education Law: Section 4408, Chapter 683 of the Laws of 1986, Chapter 391 of the Laws of 1989; Regulations of the Commissioner: Part 175, Section 175.6; Part 200

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NOTE: The July/August component of a 12-month program operates independently of other attendance counts and aid.

APPENDIX B

CLAIMING TRANSPORTATION AID FOR VARIOUS PUPIL PLACEMENTS

Sources and procedures for claiming Transportation Aid for pupils transported vary according to the type of educational placement. The following chart outlines the sources, claim processes and methods of payment for students transported by the district.

<u>TYPE OF PLACEMENT</u>	<u>AID SOURCE</u>	<u>CLAIM PROCESS</u>	<u>PAYMENT METHODS</u>
In-District Program (including approved summer school)	State	Form FT/ST-3	Paid with General Aids
Nonresidential Public or Private Program within 50 Miles	State	Form FT/ST-3	Paid with General Aids
Residential Private Program	State	Form FT/ST-3	Paid with General Aids
12 month placement		STAC for summer trips	80% of cost paid by State, separate check
Rome School for the Deaf and Batavia School for the Blind	State	Form FT/ST-3 Weekly trips (Schools closed on weekends)	Paid with General Aids
Dual Enrolled Pupils	State	Form FT/ST-3	Paid with General Aids
Chapter 47 Pupils placed by OMR/DD in group home, family care or other institution	State	Form FT/ST-3 May bill district of origin for difference between aid and cost	Paid with General Aids

<u>TYPE OF PLACEMENT</u>	<u>AID SOURCE</u>	<u>CLAIM PROCESS</u>	<u>PAYMENT METHODS</u>
Chapter 66 Pupils residing in OMR/DD facilities	OMR/DD	OMR/DD provides or contracts with local district	Per contract
Chapter 721 Pupils residing in Intermediate Care Facilities	State	STAC/AVL	100% of cost, paid with Chapter payments
Section 4408 Summer Placement Regular Special Ed	State	STAC/AVL	80% of cost paid by State, separate check
Section 4408 Summer Chapter Placements	State	STAC/AVL	100% of cost paid by State, separate check
Section 4410 Preschool Placement	County	County contracts with local district	Per contract

Summer Program for Students with Disabilities-Funding Summary Example						
					July-Aug 2014	
<u>Operating Costs</u>					Total	
Description	Program Code	# of Students	Cost of Program	Cost of Transp	Cost	
Summer Program	4408	12	2,000		24,000	
Summer Transportation		12		500	6,000	
Total Operating Costs-Summer Program					30,000	
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<u>Funding Sources - State Aid</u>					2014-15	2015-16
Total Approved Operating Costs					30,000	
Maximum % of State Aid					80%	
Maximum Aid to be Collected					24,000	
Maximum State Aid to be Collected by Year					70%	30%
Total State Aid Collected in Installments					16,800	7,200
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<u>Funding Sources - Inter-Fund Transfer</u>						Total Collected
Total Operating Costs + Any Costs Incurred Beyond Approved Rate					30,000	
General Fund % of Costs					20%	
Inter-Fund Transfer to Special Aid Fund during 2014-15					6,000	6,000
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Total State Aid and Inter-Fund Transfers Collected in Special Aid Fund					22,800	7,200
						30,000