



In-State Facility Education Reimbursement Program: Guidance for Facilities

Contents

Program Overview	1
Responsibilities of Contracted Facilities	1
Ongoing	1
Incoming Students	2
Exiting Students	2
Monthly Submission for Reimbursement	2
Annual	3
Facilities and Special Education	3
Ongoing Responsibilities	3
Staff Required	3
Special Education Audit	4
Facilities and School Districts	4
Determining and Contacting a Student's District of Residence	4
Residence Determination: Frequently Asked Questions	6
Billing School Districts	6
Resources and Links	7

Program Overview

Facilities that treat children, such as a children's psychiatric hospital, a residential treatment facility, or a therapeutic group home, are required to ensure that the children in their programs receive an appropriate education.

The state recognizes that there are costs for educational programs and offers the opportunity for facilities to contract with the OPI and receive reimbursement for these costs. The reimbursement will be a set daily rate, calculated at the time of the contract, which OPI will pay monthly. The facility is responsible for billing the remaining costs to each student's District of Residence.

Responsibilities of Contracted Facilities

Ongoing

In-State Facilities are responsible for the ongoing education of the students in their care, including the administrative duties of monitoring students' educational wellbeing.

When students enter the facility, facilities must send notice to the District of Residence that the student has been enrolled and coordinate with the District of Residence to ensure a smooth transition. Existing forms and instructions are available through the [Tuition and Attendance](#) webpage.

For each student in their care, facilities must manage student assessments throughout the academic year and may have to manage an Individualized Education Program (IEP). Guidance for Individualized Education Programs can be found through the OPI's [Special Education Guidance page](#), specifically the document entitled *Montana Special Education Guidance*. IEP creation and maintenance may often require coordination with the student's previous school or facility. Student assessment guidance is available online through the [Montana Comprehensive Assessment System](#) webpage.

Incoming Students

When a student enters the facility:

- Update the students' enrollment in Infinite Campus to ensure that record keeping will be accurate.
- Notify the students' District of Residence that the student has been enrolled and coordinate with the District of Residence to ensure a smooth transition.
- Determine if the student is on an Individual Education Program (IEP) that must be maintained.
- Request and assess student records from their previous school through Infinite Campus.

Exiting Students

When a student leaves the facility:

- Update the students' enrollment in Infinite Campus to ensure that record keeping will be accurate. Ensure that all special education records are locked and release the electronic records to the enrolling district.
- Conduct a Discharge/Transitional planning meeting with the new facility or school and the students' guardian.

Monthly Submission for Reimbursement

In-state facilities who are contracted with the OPI must submit monthly claims in order to be reimbursed. The claim requires the submission of data for each child in their facility who is receiving an education. Monthly reports are due by the 10th of every month, reporting the information for the month prior.

The OPI will review the data submission and may ask additional questions if needed. Once the submissions are completed and approved, OPI will remit payment to the facility.

Please note that there are required school holidays which do not qualify for reimbursement, even if the facility elects to host classes on those days. Additionally, Saturdays and Sundays are excluded from reimbursement.

Per [§20-1-305, MCA](#):

(1) Pupil instruction and pupil-instruction-related days shall not be conducted on the following holidays:

- (a) New Year's Day (January 1);
- (b) Memorial Day (last Monday in May);
- (c) Independence Day (July 4);
- (d) Labor Day (first Monday in September);
- (e) Thanksgiving Day (fourth Thursday in November);
- (f) Christmas Day (December 25);
- (g) State and national election days when the school building is used as a polling place and the conduct of school would interfere with the election process at the polling place.

(2) When these holidays fall on Saturday or Sunday, the preceding Friday or the succeeding Monday shall not be a school holiday.

Annual

In-State Facilities under contract with the OPI will have annual reporting obligations which shall be structured as best as possible to reduce burden on the facilities.

Facilities can expect to submit an annual financial data collection to the OPI which details the educational costs that the facility incurs. By providing this information, the facility enables the OPI to establish a daily educational reimbursement rate which is specific to the actual costs incurred for providing education. This annual financial data collection is due by December 1st of each year, unless otherwise specified by the OPI. Staff information submitted should match the staff information (including employment dates and FTE) submitted in Infinite Campus for Fall and End of Year reporting.

Aside from the annual financial data collection, contracted facilities may also be subject to an assessment by the OPI to ensure that contractual and educational obligations are upheld. Facilities will receive advanced notice of an assessment if they are subject to one. The assessment will review items not covered by any other procedures, such as internal procedures and maintenance of educational documentation. The facility will receive a complete list of items selected for assessment and be provided with ample time to prepare documents.

Facilities and Special Education

Ongoing Responsibilities

Contracted facilities must provide special education to eligible children pursuant to the Individuals with Disabilities Education Act ("IDEA") (20 U.S.C. §§ 1400-1485) and applicable Montana law. See § 20-7-436(1)(b), MCA.

Facilities must develop, review, or revise each eligible child's Individual Education Program (IEP), and, if necessary, evaluate and identify an eligible child with a disability in accordance with the IDEA and request the participation of the resident Local Educational Agency (LEA) in meetings as required by IDEA. If the representative of the resident LEA cannot attend the meetings, the representative must use other methods to ensure participation by the resident LEA. Additionally, the facility must notify the parents of their right to participate in any decision about the eligible child's individualized education program and agree to any proposed changes in the program before those changes are implemented.

Provided that a facility has received adequate notice that a student is leaving the facility, facilities must conduct a discharge/transition planning meeting with the school district. The purpose of this meeting is to share information and discuss the students' needs prior to the student leaving the facility.

If it is not possible to issue notice of and hold the meeting with the school district prior to the student leaving the facility, notice must be issued, and the meeting must be held *no later than ten days* after the facility becomes aware the eligible child will be leaving the facility. Notice must be sent to: the student's school district of residence and, if different, the school district the facility anticipates the student will attend following leaving the facility; and the student's parent or guardian.

Staff Required

Facilities are required to have on staff, or have contracted, the following Special Education personnel:

- Special Education Teacher
- Special Education Director
- Licensed, regular teacher with a schedule for general education services

- School Psychologist
- Occupational Therapist
- Speech Language Pathologist
- Physical Therapist

Facilities may have personnel in multiple, overlapping roles in order to meet requirements. Ensure that these staff are entered accurately in Infinite Campus and updated for the Fall and End of Year Collections.

Special Education Audit

Special Education Audits are conducted in 3-year cycles. During an audit, the Special Education team reviews individual student records to verify that the Federal Regulations and Montana Administrative Rules (ARM) are compliant with Individuals with Disabilities Education Act (IDEA).

For more details on the audits, please visit the [Special Education Regulations and Guidance webpage](#).

Facilities and School Districts

Determining and Contacting a Student's District of Residence

A student's district of residence will always be the school district in which their legal residence sits. There are variations in law for homeless and military children. (See the Tuition Handbook, Section 2. Student's District of Residence)

To find the residence which determines their district, we start with [1-1-215, MCA](#):

(4) The residence of an unmarried minor is:

(a) the residence of the minor's parents;

(b) if one of the parents is deceased or the parents do not share the same residence, the residence of the parent having legal custody;

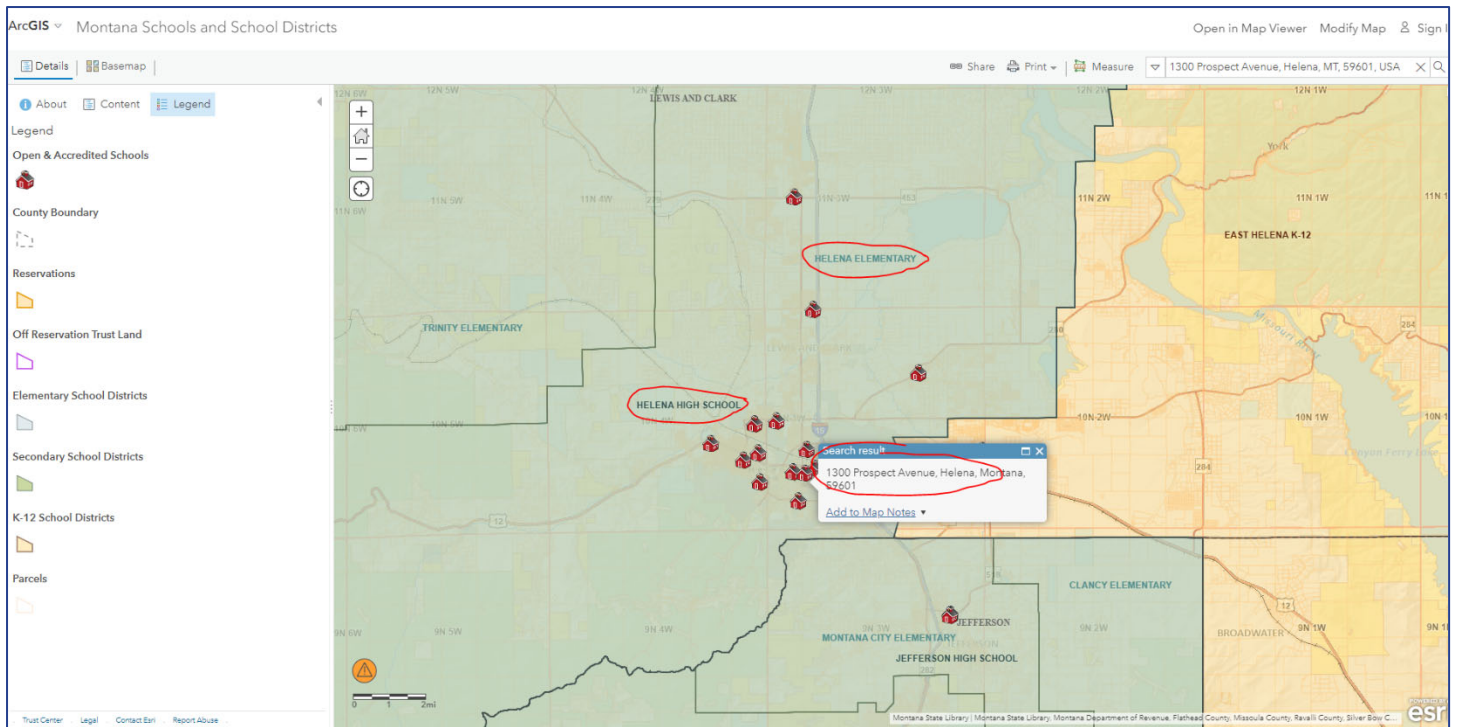
(c) if neither parent has legal custody, the residence of the legal guardian or custodian appointed by a court of competent jurisdiction; or

(d) if the conditions in [20-5-502](#) are met, the residence of the caretaker relative.

(5) In the case of a controversy, the district court has jurisdiction over which residence is the residence of an unmarried minor.

Any student who attends a school, program, or facility outside of their district of residence must have an attendance agreement in place, which will require the district of residence to coordinate as well. To determine the district of residence, you can use the [Interactive Montana Schools and School Districts map](#) to plug in the residence of the student and view the district which they fall into.

For example, using the Office of Public Instruction office address, the district is Helena Elementary District and Helena High School District:



After determining the district of residence, use the [School Directory](#) to locate the appropriate contact information for the district of residence.

This is also helpful if you're having trouble determining a student's district of residence – if you know what county they attend school in, you can pull this directory and locate the school they are currently enrolled in (or would be enrolled in if they are currently homeschooling) and work backwards to determine the district information. Furthermore, the contact information for the district or school is available on this report.

For example, using the OPI office address as a starting point, we previously determined that we are in Helena Elementary District.

I will filter the County to Lewis & Clark, then scroll down until I see Helena Public Schools and locate the Helena Elementary District Information under that list. Now I have the LE number and contact information for the district, as well as specific schools within the district.

Select a County: Lewis & Clark ▼

- Select the county you wish to view from the pull down menu above and the directory will display below.
- Use the search function of your browser (typically ctrl or command + F) to search the directory
- Use the print function of your browser (typically ctrl or command + P) to print the directory

Helena Public Schools (SS:0611)
1325 Poplar Street
Helena, MT 596015763

District Supt: Rex Weltz E-mail: rweltz@helenaschools.org		Phone/Extension 324-2025	Fax
District Clerk: Janelle Mickelson E-mail: jmickelson@helenaschools.org		324-2040	324-2045
Board Chairperson: Siobhan Hathhorn E-mail: shathhorn@helenaschools.org		324-2001	324-2035
Helena Elem (LE: 0487) District No. 1	1325 Poplar Street Helena, MT 596015763		
		Phone/Ext	FAX
Broadwater School (SC: 0655) Principal Kellie Boedecker E-Mail: kconwell@helenaschools.org	900 Hollins	324-1130	324-1131
			Grades Served
			PK-5
Bryant School (SC: 0657) Principal Letitia Wilkins E-Mail: lwilkins@helenaschools.org	1529 Boulder	324-1200	324-1201
			PK-5
C R Anderson Middle Schl (SC: 1615) Principal Kathleen Prody E-Mail: kprody@helenaschools.org	1200 Knight St	324-2800	324-2801
			6-8
		324-1230	324-1231
			PK-5

Residence Determination: Frequently Asked Questions

Q: What if a student is placed by a court or agency?

- If parental rights have been terminated, the student's address for District of Residence calculation will be the address of the court that terminated rights.
- If parental rights have not been terminated, the address should be the legal address of the parent.
- If the parent's legal address cannot be used for some reason, such as if it is a correctional facility, treatment center, or halfway home, the student's address should either be the agency or court who is directing the child's care, or the child may be considered homeless for tuition purposes.

Q: What if the student is homeless?

A: Students who meet the definition of homeless, as defined in the Stewart B. McKinney Homeless Assistance Act, are required to be admitted to a district, regardless of residence. An out of district attendance agreement may not be required, nor may tuition be charged, for these students. Facilities will still be reimbursed by the OPI, but districts are not legally obligated to pay as a student meeting the definition will not be able to be assigned a district. More information can be found on our website on the [Education for Homeless Children and Youth Program – McKinney Vento webpage](#).

Billing School Districts

Districts of Residence are responsible for a portion of the cost of a student's education, the exact amount of which is determined by the Office of Public Instruction in accordance with [§20-7-435\(3\)\(c\), MCA](#).

In accordance with [§20-8-324\(3-4\), MCA](#), Facilities must invoice districts for their tuition responsibility annually **by July 15th following the year of attendance**. Districts are then obligated to pay the

amount due in two parts: at least one half by December 31st of the following school year, and then second half by June 15th of the following school year.

Invoices to districts must include, for each student:

- Student name
- Student State ID
- Student address for district of residence verification
- Student enrollment dates being charged
- Contact information for the facility if there are any questions

Resources and Links

- [§20-7-435, MCA](#): Funding of educational programs for eligible children receiving in-state inpatient treatment of serious emotional disturbances.
- [§20-7-436, MCA](#): Definitions
- [§20-5-301-324, MCA](#): Attendance Outside School District
- [ARM 10.16.3822](#) TUITION RESPONSIBILITY TO QUALIFYING FACILITIES
- [ARM 10.16.3823](#) QUALIFYING FACILITY REIMBURSEMENT PAYMENTS
- Infinite Campus/AIM [Resources Webpage](#)
- Special Education
 - Montana [Special Education Guide Document](#)
 - [Regulations and Guidance](#)
 - Administrative Rules of Montana, [Chapter 10.16 SPECIAL EDUCATION](#)
 - Administrative Rules of Montana, [Chapter 10.60 SPECIAL EDUCATION](#)
- School Finance [Tuition and Attendance](#)
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