



Amendments to Subchapter 18: Tuition for Private Schools for Students with Disabilities First Discussion

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November 2, 2016



Background

- What the Regulations Do:
- Approved Private Schools for Students with Disabilities (APSSDs)
 - Approved by the Department to receive public school students
 - School districts place students in an APSSD and pay tuition
- Govern the tuition rate that APSSDs may charge school districts
 - Method for calculating tuition
 - Promotes financial responsibility with school district funds
 - Accounting and auditing requirements
 - Ensures non-instructional, administrative costs are appropriate and proportional to instructional costs
- N.J.A.C. 6A:14, Special Education, regulates the educational programs provided to students at APSSDs



Rationale for Regulatory Changes

1. Reorganize and Clarify
2. Streamline APSSD and Department interactions
3. Ensure APSSDs expend school district funds responsibly
 - Transparency
 - Appropriate Tuition Rates
4. Coincide and coordinate with a modern data collection system
 - Web portal for the schools



Reorganize, Clarify and Streamline

- Technical amendments
- Travel – consolidated in new code section
- Behavior modification – new code section
- Child nutrition – lunch program implementation easier
- Bookkeeping and accounting
 - Clarifies records that must be maintained and available for inspection by the Department
- Definitions clarified and/or aligned with public schools
- Less back-and-forth between APSSDs and Department



Ensure Responsible Use of School District Funds

Transparency

- Annual Disclosure Statement:
 - **Related parties** with whom APSSDs do business
 - **Nepotism**
- Clarified documents APSSDs are expected to maintain and/or make available for inspection:
 - Audited financial statements
 - Related party records
- Notification to school districts if costs exceed the tentative tuition rate by **more than 10%**
 - **More detailed explanation**
- Requires APSSDs to adopt an evidence-based behavior modification policy



Ensure Responsible Use of School District Funds

Appropriate Tuition Rates

- Cost categories (5-year phase-in)
- Limit number of administrative positions (3 full-time equivalent)
- Align certain costs to public school regulations or otherwise set reasonable limits
- Clarifies how to separate costs between schools and other programs run by same entity, such as clinics or adult programs
- Freeze on all **maximum** salaries except certain related services positions
 - **Study of salary costs** during term of regulations
- Set reasonable limitations on litigation costs that are charged back to school districts



Ensure Responsible Use of School District Funds

Data Gathering

- Coincides with modern web-based data collection system
- Assists schools in fiscal planning and finding efficiencies in their budgets
- Eases reporting requirements for schools
- Cuts down on confusing or unclear requirements
- Makes Department more responsive



Summary

- Comprehensive update to tuition setting process for APSSDs
- Includes significant input from school operators and stakeholders
- First of the anticipated substantive amendments to Chapter 6A:23A