



Individualized Education Account (IEA) Program

Summer 2016 Provider Training

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Presentation Agenda

1. What is the IEA Program?
2. Who is eligible for the IEA Program?
3. How much funding will be awarded to each student's IEA?
4. What can IEA funds be spent on?
 - A. Tuition/fees/textbooks at participating nonpublic schools
 - B. Educational therapy
 - C. Tutoring services
5. What should parents/students consider before applying?
6. How do parents enroll their child in the IEA Program?
7. Where can individuals go to find information on the IEA Program?

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**What is the IEA
Program?**

Introduction to the IEA Program

- The Individualized Education Account (IEA) Program **was adopted by the state legislature in 2015.**
- The IEA Program creates **accounts** (IEAs) for **eligible students** with disabilities to use **public funds** for educational purposes.
- The program provides **options** for parents to **choose** the educational opportunities that best meet their child's own unique needs.

IEA Program Overview

- The program is **statewide**; a student can reside in any school district in Tennessee.
- There is **no cap** on the number of students who can participate and/or the number of IEA accounts that can be established.
- The IEA Program will **go into effect** in the 2016-17 school year.
 - Student **application window** will open by **Aug. 2, 2016**.
 - Applications are due **Oct. 14, 2016**.
 - Students will **enroll** in the program beginning **Jan. 1, 2017**.

Parent Rights and Responsibilities

- By placing your child in the IEA Program, parents are agreeing to:
 - Take **full legal responsibility for the education** of your child including obtaining services necessary to educate your child.
 - **Waive all** of your child's **rights to services** under the federal Individuals with Disabilities Education Act (**IDEA**).



Parent Rights and Responsibilities

- Children in the IEA Program **will not receive any services through the public school system.**
- Children in the IEA Program will **no longer have an IEP or services plan** through the public school system.

IEA Program School Options

- Students in the IEA Program **cannot be enrolled full-time** in a public school as their school of record.
- Students can either be:
 - enrolled as an **independent homeschooled student** registered with the school district, or
 - enrolled in a **private school** (including private virtual schools).
- Students **can transfer from one participating school to another** during the year at any time.

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**Who is eligible for the
IEA Program?**

Student Eligibility

An “eligible student” must be a Tennessee resident who meets all of the following criteria:

- 1) has an active individualized education program (IEP) through a public school district in effect at the time of request for participation in the program; **and**
- 2) meets at least one of the following requirements:
 - was previously enrolled in a Tennessee public school during the two semesters (or one full school year) immediately preceding the semester in which the student receives an IEA,
 - is entering kindergarten,*
 - moved to Tennessee within six months prior to the date the student receives an IEA, or
 - received an IEA in the previous year;** **and**
- 3) has one of the following disabilities identified in their IEP:
 - autism,
 - deaf-blindness,
 - hearing impairments,
 - intellectual disability,
 - orthopedic impairments,
 - traumatic brain injury, and/or visual impairments.

*If a student has an IEP prior to enrolling in kindergarten, the student will be eligible to receive an IEA without having to attend a Tennessee public school; however, the student would have to register with the school district in which they reside for purposes of calculating the amount of IEA funding the student would be eligible to receive.

**If a student has an active IEP in another state and moves to Tennessee, the student will have to register with the school district in which they reside in order to be eligible to participate in the IEA

Student Eligibility

- All parents **must notify the school district** in which they reside that their child is enrolled in the IEA Program.
 - Including parents of students entering kindergarten and students who recently moved to Tennessee
 - Contact information for the IEA Liaison for your school district is posted on the IEA webpage
- Students who recently moved to Tennessee must have an **active IEP** in the state from which they moved.

Term of the IEA

- A student who enrolls in the IEA Program will remain eligible until the student:
 1. withdraws from the IEA Program (including return to a public school),
 2. graduates from high school (including passing the GED or HiSET), **or**
 3. reaches 22 years of age by Aug. 15 for the next school year.

Withdrawal from IEA Program

- Students **can withdraw from the IEA Program** at any time and return to the school district. Parents must:
 - **notify the TDOE and the school district** in which the student resides, and
 - report to the TDOE **which school** the student will attend, including return to the public school district.
- If the student **returns to the school district** parents must request, in writing, an **evaluation for eligibility**, in order for the student to be eligible for services.
 - The school district shall treat the request as a request for an **initial evaluation**.

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**How much funding will be
awarded to each student's
IEA?**

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How much funding will students receive?

- The maximum amount of the IEA annual payment is equal to the **per-pupil state and local funds** required through the state's education funding formula (BEP) account for the school district in which the student resides and is zoned to attend.
- This amount **does not include** federal funds *or* additional education funds that local governments contribute to the school district beyond the BEP required local match.
- The department will **subtract four percent** from this amount for administrative fees.
- The average amount of the IEA annual payment is approximately **\$6,300**, but will vary per district.

Average Per Student State and Local BEP Funding Amount for the District the Student Lives in

=

**Annual Amount of Student's IEA Award
(\$6,300 statewide average)**

Minus

4% state admin fee

Funding Disbursement & Reporting

- Parents will receive funding in **four, equal, quarterly payments** deposited into an IEA account.
- The TDOE will use a prepaid **debit card** system to distribute IEA funds to parents/ students – Xerox is the vendor.
- Parents will have to submit **receipts and expense reports each quarter**.
 - The TDOE will determine the process for reviewing the receipts.
 - Receipts must be received before next quarterly payment is disbursed.

General Guidelines for Use of IEA Funds

- **Funds roll over**, so parents are not required to spend the entire sum each quarter.
- **50 percent** of the annual IEA award must be spent by the close of each contract year.
- After graduating from high school, or reaching 22 years of age, **unused funds in an IEA account** from prior years can be used in subsequent years, **up to four years**, for postsecondary education.

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**What can IEA funds be
spent on?**

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Approved Uses of IEA Funds

Parents may use IEA funds **only for the benefit of the student enrolled in the IEA program** for the following expenses listed in the law:

- **Fees for the management of the IEA** by private financial management firms
- **Tuition or fees** at a participating school
- **Textbooks** required by a participating school
- **Tuition or fees** for a **nonpublic online learning program** or course
- **Tuition or fees** at an **eligible postsecondary institution**;
- **Textbooks** required for courses at an eligible postsecondary institution

Approved Uses of IEA Funds (cont'd)

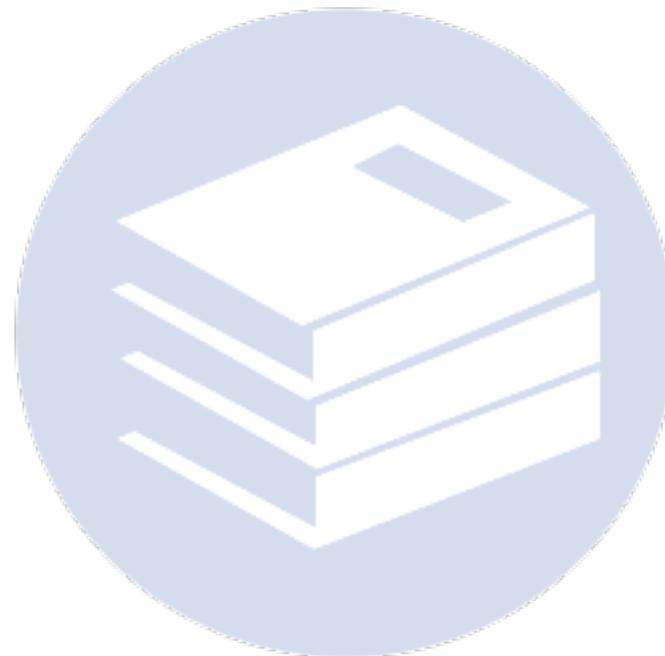
- **Fees for transportation** paid to a fee-for-service transportation provider
- **Tutoring services** provided by a tutor accredited by a state, regional, or national accrediting organization
- **Educational therapies or services** for participating students from a licensed or accredited practitioner or provider
- **Payment for purchase of a curriculum**, including any supplemental materials required by the curriculum
- **Computer hardware or other technological devices** if approved by the TDOE or a physician and are used for student's educational needs

Approved Uses of IEA Funds (cont'd)

- **Services provided under contract** with a public school, including individual classes and extracurricular programs
- **Fees for nationally standardized, norm-referenced achievement tests**, Advanced Placement examinations, or any examinations related to college or university admission
- **Contributions to Coverdell education savings account** established under 26 U.S.C. § 530 for the benefit of the participating student, except that funds used for elementary or secondary education expenses shall be for expenses otherwise allowed

Full Description of Approved Expenses

- The **IEA Parent Handbook** posted on the IEA webpage has the complete **description** of each of the approved expenses and explains the **process** for parents to receive **pre-approval** for designated expenses.





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**Tuition/Fees/Textbooks
at Participating
Nonpublic Schools**

Tuition or Fees at a Participating School

- Parents may use IEA funds for tuition, fees, and/or required textbooks at a **participating nonpublic school**.
 - The list of participating schools will be posted on the TDOE website.
- Many schools charge fees in areas that are not approved by the IEA Program.
 - **All fees submitted must be itemized.**
 - The IEA Parent Handbook includes a list of all disallowed fees.

Participating School Qualifications

1. Is located in this state
2. Is a Category I, II, or III nonpublic school pursuant to the rules of the SBE Chapter 0520-07-02
3. Certifies that they shall not discriminate against students or applicants on the basis of race, color, or national origin
4. Complies with all health and safety laws or codes that apply to nonpublic schools

Participating School Qualifications

4. Agrees to provide account holders with a receipt for all qualifying expenses at the school or institution
5. Conducts criminal background checks on employees
6. Excludes from employment any person not permitted by state law to work in a nonpublic school
7. Excludes from employment any person who might reasonably pose a threat to the safety of students

Private School IEA Application Process

- Schools interested in participating in the IEA program may apply by **submitting the application and requested documents to the TDOE.**
 - The school application window will open by Aug. 2, 2016.
- In the application, schools must report the **maximum number of students** receiving IEAs that the school has the capacity to enroll.
- If the TDOE determines that a school is eligible to participate in the IEA Program, **the TDOE will notify the school and list the school on the TDOE's website.**

Inclusive Educational Setting

- In the application, schools must indicate whether the school provides an **“inclusive educational setting.”**
- For the purposes of the IEA Program, a participating nonpublic school is considered to have an inclusive educational setting if the following two criteria are met:
 - Students with disabilities are educated with non-disabled children.
 - No more than 50 percent of the students in an individual classroom or setting are students with disabilities.

Participating School Financial Viability

Schools must submit **one** of the following:

- **A surety bond payable** to the state from a surety. The amount of the surety bond is equal to the maximum number of students enrolled in the IEA Program the school has the capacity to enroll (identified in the school's application/renewal application) multiplied by \$1,600.
- If a school has been approved as a Category I, II, or III nonpublic school for **five years or more**, in lieu of the surety bond, the school can submit a **statement by a certified public accountant** confirming that the private school has the ability to pay an aggregate amount equal to the amount of IEA funds expected to be paid during the school year.

Surety Bond

- Participating schools must demonstrate financial viability to repay any funds that may be owed to the state by filing **a surety bond** payable to the state from a surety.
- The amount of the surety bond is **equal to the maximum number of students enrolled in the IEA Program the school has the capacity to enroll multiplied by \$6,400.**
- Schools must **file a new surety bond with their renewal application** each year.

School Site Visits

- In order to participate in the IEA Program, nonpublic schools **must agree to allow the TDOE to conduct site visits.**
- The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, background screening of teachers, and compliance with state law, rules, and procedures.

Participating School Rights

- A participating school is autonomous and not an agent of the state or federal government.
- Neither the TDOE nor any other state agency may regulate in any way the educational program of a participating nonpublic school.
- The creation of the IEA Program does not expand the regulatory authority of the state, its officers, or any LEA to impose any additional regulation of nonpublic schools beyond those necessary to enforce the requirements of the program.

Participating School Rights

- Participating nonpublic schools shall be given the maximum freedom to provide for the educational needs of their students without governmental control.
- Participating nonpublic schools shall not be required to alter its creed, practices, admissions policies, or curriculum in order to accept participating students.
- For a full list of rights, see the IEA Provider Handbook.

Participating School Responsibilities

- Provide to the TDOE all documentation required for a student's participation, including the **school's and student's fee schedules**.
- Be **academically accountable** to the parent for meeting the educational needs of the student.
- At a minimum, **annually** provide to the parent a **written explanation of the student's progress**.
- Provide parents with a **receipt** for all qualifying expenses.

Participating School Responsibilities

- **Conduct criminal background checks** on employees as defined by the SBE IEA Rules.
- If a student withdraws from the school and transfers to another participating school or returns to the school district, **refund the tuition and fees on a prorated** basis based on the number of days the student was enrolled in the school.
 - Parents/guardians may not accept any payment, refund, or rebate of IEA funds from a provider of any services for the IEA Program.
 - All refunds must be returned by the school/provider directly to the TDOE for credit to the student's IEA account.

Participating School Responsibilities

- **Verify the continued enrollment and attendance of students** enrolled in the IEA Program by notifying the TDOE on a quarterly basis.
- Submit to the TDOE a **financial audit** of the school conducted by a certified public accountant, **if requested by the TDOE.**
- Upon a student's withdrawal from the school, **send all educational records** of the participating student to the school district or other school identified by the parent.
- A full list of responsibilities is in the IEA Provider Handbook.

Student Assessments

- Students in **grades 3–8** must take either **TCAP or a norm-referenced assessment in English language arts and math.**
 - Results must be reported to the parent.
 - TDOE will require parents to submit verification of assessment administration each year.
 - Participating schools must administer the TNReady Assessment to students enrolled in the IEA Program *if* requested by the parent.



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Educational Therapy

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Educational Therapy Pre-Approval

- Account holders must receive **pre-approval from the TDOE** before spending IEA funds on educational therapies.
- On the **pre-approval form**, account holders must include the following:
 - The credentials of the therapist/provider (e.g., license type and license number);
 - The type of therapy being provided
 - A detailed description of how the therapy/service is meeting the student's educational needs
- This pre-approval form must be **submitted once per school year** for each provider.

Therapist Qualifications

- Educational therapy services **must be provided by a licensed or accredited practitioner or provider.**
- Therapists must have one of the **teacher or physician licenses** listed in the IEA Parent Handbook.
 - The license *cannot* be expired.
- IEA funds **cannot be used to pay paraprofessionals** to provide educational therapy unless they hold one of the licenses listed in the IEA Parent Handbook.

Background Checks & Insurance

- It is the **account holder's responsibility** to ensure that the therapists they contract with comply with the IEA law, rules, and procedures including:
 1. Providers must have completed **criminal background checks** pursuant to the IEA rules.
 - A. Providers **cannot** have been convicted of a felony, including conviction on a plea of guilty, a plea of nolo contendere or order granting pre-trial diversion.
 2. The provider must have **professional liability insurance**.

Unapproved Therapy Expenses

- The department **does not have a list of approved therapies**, but there are some examples of **unapproved therapy expenses** listed in the IEA Parent Handbook:
 - Fees or costs due to **missed or cancelled** appointments
 - **Medical therapy** or medical expenses
 - Cost of therapy services that are not **directly related** to the **education** of the student

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Tutoring Services

Tutoring Services

- Use of IEA funds for tutoring services must be for the **sole benefit** of the participating student for which the IEA account is established
- Hiring of family members is **prohibited**
- IEA funds **cannot be used to pay paraprofessionals** to provide tutoring services unless they hold one of the licenses listed in the IEA Parent Handbook.
- There is an approved list of tutoring subjects

Approved Subject Areas for Tutoring

- Computer Technology
- Fine arts
- English language arts (including reading and grammar)
- Health education
- Mathematics
- Personal finance
- Science
- Social studies
- World language

Parents may submit a request to the TDOE **to add a subject area** to this list by completing the *Tutor Subject Add Request Form*

Tutoring Services Pre-Approval

- Account holders must receive **pre-approval from the TDOE** before spending IEA funds on tutoring services.
- On the **pre-approval form**, account holders must include the following:
 - The credentials of the tutor/tutoring organization along with supporting documentation
 - The tutoring subject area
- This pre-approval form must be **submitted once per school year** for each provider.

Individual Tutors Qualifications

- Individual tutors must have **either**:
 1. a state teaching certificate (in elementary, secondary, or special education),
 2. National Board Certification,
 3. passed the Praxis test in the subject area/grade level, *or*
 4. a bachelor's degree or higher in the specific subject area being taught from an accredited postsecondary institution.

Tutoring Organizations Accreditation

Tutoring organizations must be accredited **by one of the following accrediting organizations:**

- Any accreditation division of AdvancED:
 - North Central Association Commission on Accreditation and School Improvement (NCA CASI),
 - Northwest Accreditation Commission (NWAC),
 - Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI)
- Middle States Association of Colleges and Schools (MSA)
- New England Association of Schools and Colleges (NEASC)
- Western Association of Schools and Colleges (WASC)
- Council on Occupational Education (COE)

Background Checks & Insurance

- It is the **account holder's responsibility** to ensure that the tutors they contract with comply with the IEA law, rules, and procedures including:
 1. Providers must have completed **criminal background checks** pursuant to the IEA rules.
 - A. Providers **cannot** have been convicted of a felony, including conviction on a plea of guilty, a plea of nolo contendere or order granting pre-trial diversion.
 2. The provider must have **professional liability insurance**.

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**What should
parents/students consider
before applying?**

Parent Rights and Responsibilities

- By placing your child in the IEA Program, parents are agreeing to:
 - Take **full legal responsibility for the education** of your child including obtaining services necessary to educate your child.
 - **Waive all** of your child's **rights to services** under the federal Individuals with Disabilities Education Act (**IDEA**).



All Student Rights & Services are Waived

Students in the IEA Program:

- **will not receive any services or accommodations** through the public school system;
- will **no longer** have an **active** Individualized Education Program (**IEP**);
- **will not be eligible for the services** listed in the IEP through the public school system, including test accommodations; **and**
- **will not** be able to get a **services plan** through a public school district.

Where do Students Take the Assessments?

Assessment

Private School Students

Homeschool Students

State Tests
(including
TNReady)

Parents should contact the private school to ask them to order the tests from the state. The private school would administer the test.

Parents should contact the school district with which they are registered in order for their student(s) to take the assessment.

Norm-
Referenced
Tests

Parents should contact the private school to ask if the school could order and administer the test. Depending on which test the parent chooses, the test could be ordered directly from the testing company or administered through a local testing center.

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**How do parents enroll
their child in the
IEA Program?**

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Enrolling in the IEA Program

- Student **application window** will open **Summer 2016**.
 - Announced through IEA Update and posted on **IEA webpage**.
 - Applications are due by **Oct. 14, 2016**.
- Students will **enroll** in the program beginning **Jan. 1, 2017**.
- Parents must **renew** the IEA every year.
 - Renewal application for 2017-18 due **June 1, 2017**.
- Students can apply to participate in the IEA program **once per year**.
 - 2017-18 IEA Application due **April 3, 2017**.



Three Step Enrollment Process

Step 1: Parents submit IEA Application to the TDOE; the TDOE determines student eligibility and notifies the parent.



Step 2: Parents sign IEA Contract with the TDOE.



Step 3: Parents notify the school district they reside in that student is receiving an IEA.

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**Where can individuals go
to find more information
about the IEA Program?**

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IEA Webpage, Update, & Email Address

- IEA Webpage: <http://www.tn.gov/education/section/iea>
- Monthly IEA Email Newsletter, *IEA Update*
 - Subscribe by going to the IEA webpage
 - Archived updates from prior months are posted on the webpage
- Contact the IEA Team:
 - IEA.Questions@tn.gov
 - (615) 253-3781





If you have questions/feedback,
please email us at
IEA.Questions@tn.gov



Department of
Education

Districts and schools in Tennessee will exemplify excellence and equity such that all students are equipped with the knowledge and skills to successfully embark on their chosen path in life.

Excellence | Optimism | Judgment | Courage | Teamwork