

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

EDUCATION FUND FOR STATE WARDS

PROGRAM GUIDEBOOK

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SECTION I

OVERVIEW

The Nebraska Department of Health and Human Services (DHHS) reimburses schools for the costs of providing education services to eligible children, including associated school transportation costs, as required by Nebraska Revised Statute ([Neb. Rev. Stat.](#)) § 79-215(9).

Throughout the year, the DHHS receives invoices from schools for education services provided to wards of the State and wards of the Court for each semester of attendance (fall, spring and summer). These invoices are submitted electronically via email to the designated DHHS authorized person. The invoices are accompanied with a certification letter from the school that outlines the total of all invoices, which are unique for each youth. DHHS may need to seek assistance from the Children and Family Services Specialist and/or Probation Officer in determining the child's or school's eligibility for the school to receive reimbursement.

[Regulations for the State Ward Education Fund](#)

SECTION II

ELIGIBILITY CRITERIA

The State Ward Education Fund can only reimburse education costs when an **eligible child** is placed in an **eligible institution** that is not in the child's resident school district. It does not include children placed in foster homes. [Neb. Rev. Stat. § 71-1901](#)

ELIGIBLE CHILD. A child who is a ward of the State of Nebraska or a ward of any Court who meets the requirements set forth in [Neb. Rev. Stat. § 79-215\(9\) and 79-215\(10\)\(c\) and 79-215\(11\)](#) and who is subject to the compulsory education and attendance requirements of [Neb. Rev. Stat. § 79-201](#).

Ward of the State (DHHS): A juvenile described in [Neb. Rev. Stat. § 43-247 3\(a\) or 3\(c\)](#) and placed in the custody of the DHHS pursuant to the Nebraska Juvenile Code of the Nebraska Reissued Revised Statutes.

Ward of Any Court (Probation): A juvenile described in [Neb. Rev. Stat. § 43-247 \(1\), \(2\), \(3\) \(b\) or \(4\)](#) who is in out-of-home care by order of the Court, including pre-adjudication, post-adjudication and dispositional orders.

ELIGIBLE AGENCY OR INSTITUTION. An Eligible Agency or Institution includes:

A County Detention Home (Juvenile Detention Center) established under [Neb. Rev. Stat. 43-2,110](#), providing education services to a State or Court ward, eighteen years of age or younger, regardless of the school district in which the child resided at the time he or she became a ward ([Neb. Rev. Stat. 79-215\(11\)](#)). Nebraska's juvenile detention centers all operate Interim-Program Schools (see below).

An Interim-Program School approved by NDE under *Title 92 Nebraska Administrative Code (NAC), Chapter 18: Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters*, at: [Title 92, Chapter 18](#).

A list of approved Interim-Program Schools is available at: [List of Interim Program Schools](#)

A School District, other than the district in which the Eligible Child resided at the time he or she became a ward, and such child does not reside in a foster family home licensed or approved by the DHHS or a foster family home maintained or used pursuant to Neb. Rev. Stat. 83-108.04 ([Neb. Rev. Stat. 79-215\(9\)](#)). A list of accredited Public Schools is available at: [List of Accredited Schools](#)

An Out-of-State School District or Institution when an Eligible Child has been placed in an out-of-state school or institution maintains a Special Education program approved by NDE.

An Eligible Agency or Institution does **not** include:

A State-Operated School or System (Special Purpose School) accredited by NDE under Title 92 Nebraska Administrative Code NAC, Chapter 10. A list of accredited State-Operated Systems is available at: [NDE Directory](#)

A Non-Public School (Private or Parochial School) approved by NDE under Title 92 Nebraska Administrative Code NAC, Chapter 14: [Title 92, Chapter 14](#). A list of approved Non-Public Schools is available at: [List of Rule 14 Approved Schools](#).

An Alternative School for Expelled Students, approved by NDE under Title 92 Nebraska Administrative Code NAC, Chapter 17: [Alternative Schools for Expelled Students](#).

An Exempt School (Home School) under Title 92 Nebraska Administrative Code, Chapter 13: [Exempt Schools](#). A parent or legal guardian may educate their child at home by electing not to meet State approval or accreditation requirements ([Neb. Rev. Stat. 79-1601](#)). In Nebraska, “home schools” are referred to as Exempt Schools and are considered non-approved or non-accredited schools. By filing for and receiving exempt status, parents are electing not to have their child attend a school that meets State approval and accreditation requirements while also complying with the mandatory school attendance law.

SECTION III

ESTABLISHING A REIMBURSEMENT RATE

REIMBURSEMENT RATE. DHHS will reimburse claims that meet the requirements of this chapter pursuant to rates established by the Nebraska Department of Education (NDE). When the Nebraska Department of Education does not have an established rate for the Eligible Agency or Institution, reimbursement payments will be made for the actual allowable education costs. *The institution can bill for transportation at the approved NDE rate:* [Reimbursement Rates](#)

Overview of General Education and Special Education Rates

Education Costs	
Public Schools	<p>NDE Finance Team computes the daily billing costs each year. The Approved Daily Rates are the “Calculated Elementary and Secondary Per Pupil Costs for Wards of the Court” as determined by the Nebraska Department of Education School Finance and Organization Services.</p> <p>The Approved Daily Rate will be noted on the billing sheet (more information about the sheet is below in the guidebook).</p> <p>SPECIAL EDUCATION RATES: When a Public School contracts for special services from an NDE approved provider, the following rates are to be used for reimbursement: Reimbursement Rates</p>
Interim-Program Schools	<p>The Approved Special Education Service Provider Rates can be found at: Special Education NDE Search Services</p> <p>There is no differentiation between the daily rate for general education and the daily rate for special education.</p>
Juvenile Detention Centers	<p>Reimbursed at the actual cost of Education services provided, based on a detailed expense report submitted by the Eligible Agency or Institution.</p> <p>There is no differentiation between the daily rate for general education and the daily rate for special education.</p>
Out-of-State Schools	<p>An out-of-state school must get an established education rate from NDE to seek reimbursement from the State Ward Education Fund by completing the Service Agency/Provider Application. Service Provider Application</p> <p>Reimbursement Rates</p> <p>Out-of-State Schools with current rates established can be found at: Special Education NDE Search Services</p> <p>There is no differentiation between the daily rate for general education and the daily rate for special education.</p>

SECTION IV

BILLING AND PAYMENT

This section describes the steps for billing and receiving payment from the State Ward Education Fund. Invoices are due to the DHHS no later than 30 days after the end of each semester. Requests for late submission of bills must be requested in writing. All communication must be sent to: DHHS.StateWardEducation@nebraska.gov.

The invoice may only be submitted for educational services provided on a school day as shown on the Eligible Institution's school calendar as prescribed by NDE and according to the ward's attendance records. DHHS will not accept school calendars from Provisionally Approved Service Providers as defined by [Title 92, Chapter 51 \(Rule 51\)](#). The eligible institution must invoice for transportation at the approved NDE rate found here: [Reimbursement Rates](#)

DHHS has the right to audit all information pertaining to the invoice as needed and can ask for further information to verify proper billing for the ward. The Eligible Institution must, upon request, provide DHHS with documentation, such as invoices and payroll expenses (see notes in Billing section), verifying the actual allowable education costs incurred.

Process for Juvenile Detention Centers: The Eligible Agency or Institution will complete and submit the following forms to: DHHS.StateWardEducation@nebraska.gov

- a. Roster of teachers (including the name, salary, and benefits by teacher) each week
- b. Roster of students (excel spreadsheet including name, date of birth, billing dates, number of days billed, daily rate, and regular education cost to be billed)
- c. Detailed list of other expenses applicable for education requirements for the youth (examples include books, copier, school supplies, etc.). (No room and board or food is included in this list)
- d. The Certification Form (PS-63)
- e. Transportation documentation when necessary
- f. Attendance sheet for each youth
- g. Court Order Verification documents for the youth
- h. School Calendar

Process for All Other Schools: The eligible institution will complete and submit the following forms and requested information to: DHHS.StateWardEducation@nebraska.gov

- a. [The Billing Form \(PS-62\)](#)
 - PS-62 is to be submitted for interim program schools
- b. [The Certification Form \(PS-63\)](#)
 - PS-63 is submitted for interim program schools
- c. Court Orders.
 - Court Orders are used to verify if the date the child was a state ward or court ward

- d. School Calendar
 - School calendars are used to confirm the actual class in session to validate the days being invoiced
- e. Attendance Sheet for each youth
 - Attendance Sheets are used to confirm the actual days the child attended school.
- f. 504 Plan or Individualized Education Plan (IEP) for a youth with a verified disability, as defined in [Title 92, Chapter 51 \(Rule 51\)](#), only when billing for the actual costs of Special Education services provided.
 - The IEP is used to ensure the child qualifies for the Special Education Rate and to determine the additional education costs indicated, (i.e. paras, transportation, etc.). A child verified for or receiving special education may be in a resource room or special education class part of the day. The school district must indicate the percentage of time the child is in special and regular education.
 - By law (Neb. Rev. Stat. 84-901.03) the school district must seek reimbursement for the following services through Nebraska Medicaid School-Based Direct Services Program: medical transportation, mental health and substance use services, nursing services, occupational therapy services, personal assistance services, physical therapy services, services for speech, hearing and language disorders and visual care services. Send questions regarding the Nebraska Medicaid School-Based Direct Services Program to: DHHS.SchoolBasedServices@nebraska.gov

Payment of Bills

The DHHS will promptly pay all approved invoices for eligible students in compliance with the Nebraska Prompt Payment Act, [NEB REV. STAT. 81-2401 through 81-2408](#).

Denial of Payment

If the payment form has errors, DHHS has the right to contact the Eligible Institution to modify the bills for accuracy with the necessary details before payment will be processed.

If DHHS denies any portion of the invoice, DHHS will notify the institution via email of the decision. The Eligible Institution may appeal the denial of a claim in accordance with the Nebraska Administrative Procedures Act. The appeal must be submitted to DHHS in writing no later than 30 days after the notice of denial.

SECTION V

CONTACT INFORMATION

Billing or Policy Questions: DHHS.statewardeducation@nebraska.gov

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