



WYOMING
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MEMORANDUM NO. 2015-037

TO: School District Superintendents, Principals, Special Programs Directors, Business Managers, Institutional Facilities Directors

FROM: Dicky Shanor, Chief of Staff

DATE: March 30, 2015

SUBJECT: Educational Expenses for Youth Placed out of District: School District Responsibility

EDUCATIONAL EXPENSES FOR YOUTH PLACED OUT OF DISTRICT

The Wyoming Department of Education (WDE) has received requests for direction regarding school districts receiving invoices for educational services provided youth while placed in an institution.

The placement of Wyoming youth may be in-state or out-of-state, and can be made by the youth's family, the youth's resident school district, or a court. There are many reasons for a youth to be placed in a facility, and each situation requires a case-by-case analysis.

Financial responsibility of youth placement generally rests with the family, but there are circumstances in which districts may be required to reimburse parents.

One important circumstance is whether the youth has an Individualized Educational Program (IEP). When questions about payment arise, the WDE strongly recommends that districts include special education personnel as guides in those situations where federal special education rules, particularly 34 CFR §300.134, apply.

Specific questions regarding special needs students may also be answered by guidance issued by the U.S. Department of Education in "Questions and Answers on Serving Children with Disabilities Placed by Their Parents in Private Schools, Office of Special Education and Rehabilitative Services", April 1, 2011 (accessible at: <http://idea.ed.gov/explore/view/p/root,dynamic,QaCorner,1>).

Only the district and the youth's family know the circumstances of a given case in most circumstances. Accordingly, the WDE is unable to give specific guidance that applies equally to all districts that have received invoices. The WDE will continue, consistent with existing practice, to provide technical assistance to district special education directors through the WDE Special Programs Division. The WDE also recommends that districts consult with legal counsel to determine any other legal obligations that may or may not apply outside of the special education context.

Contact Jo-ann Numoto with questions at jo-ann.numoto@wyo.gov or at 307-777-6476.