



Division of Systems and Supports, K-12

Nonpublic Payment Unit

Process and Procedures Guide

Procedures and Guidance for Processing Invoices Received from Nonpublic Schools and Programs that Provide Special Education and Related Services

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I. Purpose and Background

The purpose of this document is to set forth efficient procedures and guidance to ensure that all invoices submitted by providers of services are reviewed, processed and paid in a timely manner to ensure that services provided to the children of the District of Columbia are not interrupted. The Individuals with Disabilities Education Act (IDEA), 20 U.S.X. 1400, et seq., mandates that states and school districts must make available a free and appropriate public education (FAPE) to all disabled students between the ages of three and twenty one. State Education Agencies (SEA) and Local Education Agencies (LEA) must ensure that each student receiving special education services has an Individual Education Program (IEP) that identifies the special education and related services that must be provided to meet his/her individual needs.

Payment for education and related services pursuant to the IDEA is governed by the District of Columbia Municipal Regulations, Title 5-A DCMR Chapters 2800 and 2900, and is a function of OSSE. These procedures apply to all private providers of special education services (herein collectively referred to as “providers”) pursuant to 5-A DCMR Chapters 2800 and 2900, and are the basis for the procedures documented herein.

Any exceptions to the information provided in this document must be approved by OSSE before any services are provided.

II. State Education Agency (SEA) and Local Education Agency (LEA) Responsibilities

Each LEA is responsible for payment of special education and related services for students enrolled within its LEA. However, if an LEA places a student in a nonpublic special education school, the SEA is responsible for payment of invoiced services pursuant to the student’s IEP and authorization by the LEA. In the case where students are placed by other DC agencies, i.e. Department of Youth Rehabilitative Services (DYRS), Child and Family Service Agency (CFSA), Department of Health Care Finance (DHCF), or Healthcare Services for Children with Special Needs (HSCSN), OSSE will pay tuition, and related services not otherwise covered, pursuant to the students’ IEPs and as authorized by the LEA (but not room and board or other residential expenses). Payment for tuition and related services involving other agencies shall be made pursuant to existing agreements with OSSE.

The OSSE Nonpublic Payment Unit (NPU) is also responsible for payment of nonpublic special education tuition and related services ordered in Hearing Officer Determinations (HODs), Court Orders, or as agreed to in Settlement Agreements (SA), for DC students attending nonpublic special education schools and programs. OSSE is not responsible for payment of compensatory education awards.

A. Contracts

The contractual relationship between OSSE and providers is supported through an approved Certificate of Approval (COA) and an approved and confirmed annual OSSE rate confirmation, established in accordance with 5-A DCMR Chapters 2800 and Chapter 2900, and other relevant regulations.²

III. Provider Responsibilities

Ensuring that students receive FAPE is a priority at OSSE, and providers play an integral role in ensuring that students with IEPs receive the prescribed services. The safety of our children and compliance with DC law and regulations are also priorities. Accordingly, OSSE requires the following:

A. All Providers

Before providers agree to deliver any special education or related services, providers are expected to:

1. Have knowledge and familiarity with 5-A DCMR Chapters 2100, 2800, and 2900 and demonstrate the ability to meet all relevant requirements;
2. Obtain an OSSE rate confirmation letter for the applicable invoice school year, prior to submitting an invoice to OSSE for payment consideration;
3. Adhere to LEA, OSSE, state, and federal regulations regarding the delivery of special education services and District of Columbia attendance requirements;
4. Meet all requirements designed to ensure student health and welfare, including background checks, privacy of student information in accordance with the Federal Education Records Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPPA);

² The OSSE Rate Confirmation schedule will include the following terms:

- an identification of the range of services the vendor may provide;
- the rate for each service;
- the term/time period during which the rates apply; and
- any Medicaid information required

5. Obtain proper authorizations and ensure that the student's current IEP information, from the IEP Team and the LEA, is available in the State's Special Education Data System (SEDS) before services are rendered;
6. Should have a designated point of contact (POC). The POC is responsible for ensuring provider staff are aware of, are trained, and consistently input and update student data into the following OSSE systems:
 - SEDS- Special Education Data System (also known as EasyIEP)
 - SEATS – Special Education Attendance Tracking System
 - SQUIRE - Staff Qualifications Information Repository
7. Maintain and provide original receipts and other supporting documents when requested by OSSE or the LEA, in the event proper authorization is in question;
8. Review all OSSE communications, comply with all data requests, and periodically review the OSSE website for current information regarding invoices. (www.osse.dc.gov); and
9. Provide assurances of compliance with all OSSE COA, Federal and applicable laws and regulations upon request.

B. New Providers

In addition, before submitting an invoice to OSSE, a new provider must also complete all of the following:

1. Submit a copy of the current school year rates and school calendar for OSSE review and confirmation;
2. Submit a copy of any relevant rate approval documents granted by a state or jurisdiction other than the District of Columbia;
3. Complete the Master Supplier Information Collection form and an IRS form W9;
4. Within six months of enrolling a DC student, submit an application to obtain an OSSE COA, if one is not currently in effect, including;
 - a. Meet all professional certification and/or licensure requirements (local, state and/or federal); and
 - b. Provide copies of state professional licensure certifications and background checks.

Any invoice received prior to the above documentation having been submitted will be deemed incomplete and will not be processed or paid until all documentation has been received.

C. Related Service Providers

With few exceptions, an independent related service provider cannot provide IEP services separate from the student's attending school. The student's nonpublic school is expected to implement all services documented in a student's IEP. As a result, an independent related service provider cannot provide services or directly bill OSSE for IEP services, unless the use of an independent provider has been ordered through an HOD, a Court Order, agreed to in a Settlement Agreement, or as approved by an LEA.

In order to provide IEP services, an independent related service provider must obtain LEA approval to provide services on behalf of a nonpublic school, must establish a contract with the nonpublic school, and must obtain an OSSE rate review and confirmation, prior to service provision. The nonpublic school must serve as the primary contact between the LEA/OSSE and the independent provider. In the case that an independent related service provider has been approved to provide services on behalf of a nonpublic school, the contractual agreement is between the nonpublic school and the independent related service provider. As such, all required contracts and signatures must be obtained from the nonpublic school. Upon approval, the contractual agreement is considered a private arrangement, where neither the LEA nor OSSE is a part.

Upon receiving approval to provide services, the nonpublic school must ensure that the related service provider adheres to and remains compliant with all OSSE requirements. In addition to meeting the requirements of the aforementioned sections, **all related service providers who provide IEP services on behalf of a nonpublic school or program cannot submit invoices directly to OSSE.** Because the contractual agreement exists between the nonpublic school and the independent provider, all billable services must be submitted to the nonpublic school or program, who can then submit the charges in conjunction with the school's monthly invoice to OSSE.

A related service provider may directly invoice the OSSE Nonpublic Payment Unit only when services have been specified to be delivered by an independent provider through a Hearing Officer decision (HOD), Court Order or Settlement Agreement (SA), and are not part of a compensatory award. If service is authorized as part of a compensatory education award or plan, a related service provider must submit an invoice for payment to the LEA who is a party to the compensatory award.

For OSSE Medicaid claiming purposes, all nonpublic related service providers should obtain a National Provider Identifier (NPI) number. The NPI is a standard unique 10-digit number identifier for health care providers, and is a requirement for the submission of Medicaid claims.

An NPI can only be obtained by the actual related service provider. A nonpublic school cannot obtain one on behalf of a provider and a provider cannot use the nonpublic school's NPI number. Providers may verify their existing NPI or obtain a new one at, <https://nppes.cms.hhs.gov/NPPES>.

IV. Payment for Services Rendered: Provider Invoices

Invoices for service payment may only be submitted to OSSE after the service has been rendered. OSSE will not remit payment in advance of service provision. The required invoice information can be found in District of Columbia Municipal Regulations Title 5-A DCMR Chapters 2100, 2800 and 2900.

In order for nonpublic programs to receive payment for related services, there must be evidence that the service was delivered in the District's system of record, the Special Education Data System (SEDS), through the creation of related service session service trackers for every related service session provided to DC students that are invoiced to OSSE.

Failure to document a session in SEDS will result in OSSE's withholding or denial of payment for the corresponding session. This documentation is a requirement pursuant to District of Columbia Municipal Regulations, regulations, Title 5, Chapter 28, Section 2808.2.

A. Frequently Asked Questions (FAQs), regarding the payment process:

Invoice Submission

Who may submit an invoice?

All entities who provide educational services to District students who have IEPs, may submit an invoice to OSSE, pursuant to a student's IEP, HOD, Court Order, SA, or through a documented LEA authorization. Independent related services providers may invoice OSSE directly only when specifically authorized through an HOD, Court Order, or SA, and when the service is not a compensatory award. Invoices may also be submitted by parents or a parent's designated representative (see section V. for additional details regarding payment to parents).

An independent related service provider, a subcontractor, or a third party provider who provides IEP services on behalf of a nonpublic school must submit their charges to the nonpublic school to be included with the schools monthly invoice to OSSE. A related service provider or a third party provider cannot invoice OSSE directly for IEP services provided independently from the student's school of enrollment, except for as stated above.

Compensatory education plan providers must submit their charges to the responsible LEA.

Where should invoices be sent?

All invoices for service must be submitted to the Office of the Chief Financial Officer (OCFO) at OSSE by mail or hand delivery. Receipts will be provided for hand deliveries upon request. Addresses for submission of invoices are contained in the “Contacts and Addresses” Addendum A, attached. Under no circumstances should the initial submission of an invoice be sent directly to an individual OSSE employee, faxed or emailed. Documents submitted in this manner will not be accepted or processed. However, after having received the initial invoice, an OSSE representative can authorized email submission of invoice revision and additional documentation.

When will invoices be processed and payments remitted?

The 5th and the 15th of each month are the dates OSSE will process invoices and remit payments. The processing date is determined based upon the next available 5th or 15th day of the month the invoice is received. The payment date is calculated 30 days after the assigned processing date. For example, if an invoice is received on March 3, it will be processed as if received on March 5, and all undisputed amounts will be paid by April 5. If an invoice is received on March 6, it will be processed as if received on March 15, and all undisputed amounts will be paid by April 15. Finally, if an invoice is received on March 16, it will be processed as if received on April 5 and all undisputed amounts will be paid by May 5. However, when the 5th or the 15th falls on a weekend, holiday, or official OSSE date of closure, payment will be sent on the next business day.

Can an invoice be submitted through electronic mail or fax?

Under no circumstances should the *initial* submission of an invoice be sent directly to an individual OSSE employee, faxed or emailed. Documents submitted in this manner will not be accepted or processed. However, following the initial submission received at OSSE through mail or hand delivery, the submission of an electronic invoice containing a change, an edit, or a revision may be available to the provider at the discretion of OSSE. Upon notification from OSSE that electronic invoice submission is allowed, invoices may be electronically submitted per the instructions of the OSSE NPU.

What information should be included on an invoice?

Invoices must contain the information required in 5-A DCMR Chapters 2800 and 2900, including the following:

1. An itemization of the tuition and related services provided, including date of service, each specific unit of service provided (e.g., per hour, day, week, month), the frequency of each specific service (e.g., number of hours, days), the rate per unit of service (e.g., cost per hour) and the total cost of services provided;
2. All documentation substantiating the invoiced charges (e.g. IEP service authorizations, SEDS related service trackers, LEA authorizations, assessment results, HOD or SA authorizations, placement documents, attendance) should be submitted with the invoice and should be uploaded into the OSSE SEDS system for purposes of invoice verification, including:
 - (a) Student name, date of birth, and the unique student identification Number (USI) if one has been assigned;
 - (b) The name of the District of Columbia agency responsible for placing the student at the nonpublic special education school or program³;

In some cases, schools may have more than one DC agency placing students. Such agencies may include a Public Charter School, DYRS, CFSA, HSCSN, or the Department of Mental Health (DMH).

- (c) The name of the LEA responsible for ensuring a free appropriate public education (FAPE);
- (d) The tuition rate per diem consistent with this chapter;
- (e) The number of tuition days billed for on the invoice;
- (f) Specific itemization of related services provided, including the frequency of each service and the unit of service provided on a per hour or per diem basis as appropriate;
- (g) The student's Medicaid number (if the student qualifies for Medicaid), if provided directly by the parent or the when the parent consents to allow the sending LEA to provide; and

³The responsible agency for nonpublic special education schools and programs and related service providers is the LEA or agency that made the final decision to place a student at the school or program or with the provider for IDEA services.

- (h) An attendance report, including specific days of attendance and absence, the latter of which are identified as excused or unexcused. All absences will be presumed to be unexcused unless otherwise indicated. Also see sections B and C, below, for additional attendance reporting information.

B. Additional Invoice Information

To ensure timely and accurate payments, invoices should:

1. Be submitted monthly (shorter or longer invoice periods can be accepted upon obtaining prior approval from OSSE , for government efficiency, the submission of monthly invoices are preferred to the extent possible by providers):
2. Provide total monthly hours of each service rendered (while providers can provide daily hours, inclusion of the monthly totals facilitate invoice reviews by OSSE);
3. Have a corresponding service tracker entry in SEDS for each related service session invoiced to OSSE. The service tracker validates that services have been rendered. Note: A service tracker must exist as a requirement for payment;
4. Include corresponding attendance records for all services billed; Attendance should be recorded in the OSSE SEATS system and printed to include with each monthly invoice submission;
5. Include documents to support student absences as required, showing efforts by the school to implement attendance and inform the LEA of the problem, and information regarding actual services provided during the absences, as documented by the nonpublic school in SEDS, such as:
 - school call logs
 - communications with parents/students
 - efforts taken to reengage the student
 - explanation for student absence(s)
 - communications with LEAs
 - educational packets sent and completed by the student outside of school
 - graded educational packets completed by the student outside of school
 - requests for team meeting(s) to discuss absence issues
 - meeting notes and next step actions
 - attendance intervention plans (AIP) or written attendance agreements

- LEA advisements, guidance, and next step actions
6. include placement documentation demonstrating new student enrollment;
 7. ensure student IEPs are current and updated in a timely manner;
 8. include original receipts for reimbursement where appropriate under this policy;
 9. be submitted with the following OSSE forms:
 - a) Billing Cover Sheet;
 - b) Standard Detail Invoicing Form;
 - c) Standard Attendance Form; and⁴
 - d) Other supporting documents upon reasonable request by OSSE.

C. Billing for Student Absences and Attendance Reporting

Providers must bill student absences in accordance with and pursuant to the rules documented in the DCMR chapter 2100, chapter 2800, particularly section 2821 and the rules documented in chapter 2900. The DCMR Regulations document the rules that allow payment approval and payment denial for billing days a student is absent. Nonpublic Schools and programs are expected to have knowledge and familiarity with 5-A DCMR Chapters 2100, 2800, and 2900 and demonstrate the ability to meet all the relevant requirements when billing for student absences.

V. Invoices, Reimbursement Requests for Parents or Parent Representatives:

Reimbursement payments can be remitted directly to a parent only when ordered by an HOD, a Settlement Agreement, a court order, or for specific costs associated with travel to and from a residential placement and as approved by OSSE prior to travel. Otherwise, all payments will be remitted directly to the student's attending nonpublic school.

All parent/parent representatives reimbursement requests must include:

1. Student's name, date of birth, and student ID number provided by the District of Columbia, if known;

⁴ These forms are preferred and are available on the OSSE website at, (www.osse.dc.gov).

2. The name of the school attended by the student;
3. The name of the person requesting the reimbursement;
4. The requestor's relationship to the student;
5. An itemized list of the services to be paid and the corresponding amounts to be paid;
6. The name of the person to whom the reimbursement will be made payable;
7. Proof of payment (i.e., credit card receipt, original receipts, copy of a canceled check, or when authorized by OSSE receipt of payment from provider may be accepted); and

Note: When OSSE is required to provide a reimbursement directly to a parent, the parent must be able to provide proof of payment made specifically by the parents themselves. However when payment, on behalf of a parent, is required to be remitted directly to a provider, then a provider invoice can be accepted as a receipt and proof of payment due.

8. A copy of the document authorizing payment, such as a: Hearing Officer's Determination (HOD), Settlement Agreement (SA), or other Court Order document that designates payment be made by the District of Columbia and honored.
9. In addition to the requirements listed in this section, as applicable, when a reimbursement is requested by a student's attorney/representative or advocate, or someone other than the parent, the requestor must enclose with the request a written affirmation that he/she has been engaged by the parent to represent the student.

V. Payments

Payments are made pursuant to the District of Columbia Municipal Regulations 5-A DCMR Chapters 2800 and 2900, including the following:

1. The District remits payments by checks, sent through US Mail, through Automatic Clearing House (ACH)--direct deposit, or, for special circumstances and with 30 days prior approval, through provider pick-up. OSSE encourages providers to sign up for payment by direct deposit.
2. Payments made through ACH will be made available to providers as a direct deposit into their chosen bank account rather than through receipt of a paper check. If a provider

wishes to receive payments through the ACH process, the provider can complete an ACH Authorization form (available from the NPU team upon request).

3. The OSSE OCFO will prepare payments after having received all the required documents needed to complete the payment process and in accordance with the established payment due date assignment process (See section IV(A). Payments shall be postmarked and mailed, ACH direct deposited or made available for pick up (at the OCFO address described in addendum A attached hereto with 30 days prior approval), within 30 days of the processing date or the next available business day.
4. Pursuant to DCMR Sections 2806, all nonpublic schools are expected to provide a minimum of 180 instructional days. OSSE does not remit payment for days that school is closed, for any reason, including closings due to inclement weather. OSSE will, however, remit payment for make-up days during the invoice period in which the make-up day takes place. As such, nonpublic schools are expected to note all days that schools are closed on the attendance record, which is a required part of the monthly invoice submission.

VI. Medicaid

A. Medicaid Reporting

A nonpublic special education school or program shall adhere to all federal and District of Columbia laws and regulations governing Medicaid reimbursable services, including, but not limited to, documentation of all instances of IEP health-related services delivered to District of Columbia students.

A nonpublic special education school, program or related service provider shall keep organized and confidential records, for each student, that detail client specific information regarding all specific Medicaid reimbursable services provided to each individual recipient of services and retain those records for review. All such documentation shall include:

- a) A complete and current student IEP (with relevant authorizations as required to meet prescription/referral/recommendation requirements);
- b) All evaluation and screening reports (with relevant provider signatures as required to meet prescription/referral recommendation requirements);
- c) Related service tracker documentation;
- d) Progress notes;
- e) Billing records; and

- f) Practitioner credentials for service providers. Services must be provided by licensed or qualified practitioners in accordance with Section 2823.3 of the COA regulations, inclusive of any supervisory requirements that may apply. Practitioner credentials should be entered into the OSSE Staff Qualifications Information Repository (SQUIRE)

B. The following data elements are required as part of the service documentation:

- a) School District Name/Provider Number: Name of the school district where services are provided and the provider number used to bill the Medicaid program;
- b) Student Name: Student's complete legal name;
- c) Student USI Number: Student's Unique Identification number;
- d) Date of Birth: Student's complete date of birth;
- e) Student Medicaid Number: Student's Medicaid identification number;
- f) Date: The date a Medicaid service was provided to a student;
- g) Type of Service and specific services provided: see list of Medicaid approved services;
- h) Student's progress toward specified clinical objectives: Dated and signed notes that document the degree of measureable progress toward student treatment goals and objectives. These notes should be a 1-2 sentence summary related to the specific therapy session; This information should be documented using the service log wizard and service tracker functions in SEDS.
- i) Activity/Procedure Note: A written description of the service provided to the student. This must document the extent and duration of the medical service provided; This information should be documented using the service log wizard and service tracker functions in SEDS.
- j) Service Setting (Group/Individual): Indicate if the student received services on an individual basis or in a group setting;

- k) **Service Time:** The quantity of service provided to the student should be recorded as an amount of time (example: 1 hour). This can capture the cumulative time the provider spent delivering services over the course of the day;
- l) **Name and specialty of the clinical service provider;**
- m) **Signatures:** The signature of the medical professional providing services must comply with generally accepted standards for record keeping within the applicable provider type as they may be found in laws and regulations of the relevant board of registration. Providers whose services require supervision must have documentation cosigned in accordance with the applicable standards for the provider type; Service trackers created in the OSSE SEDS system provides a system generated provider signature.
- n) **Attendance Report:** An attendance report including specific days of attendance and absence for each student;
- o) **Parental Medicaid Consent form:** Obtain one-time parental consent before accessing public benefits;
- p) **Annual Parental Notification:** Ensure that parents are notified of their rights and related procedural safeguards related to claiming on an annual basis and before the first time that the benefits are going to be accessed; and
- q) **National Provider Identifier Number (NPI):** all nonpublic related service providers should have/obtain an NPI number. The NPI is a standard unique 10-digit number identifier for health care providers, and is a requirement for the submission of Medicaid claims.

All documentation must be completed in the Special Education Data System (SEDS). In the event there is no access to SEDS then all service documentation should be submitted to the student's LEA for upload into the student file in SEDS.

A nonpublic special education school or program shall be responsible for entering and updating all their provider credentialing records into an OSSE provider credentialing system, SQUIRE. This system will store information on the provider's credentials for Medicaid Billing purposes and audits.

Related service providers, whether employed or contracted by the nonpublic special education school or program, shall be appropriately certified, licensed or registered in their professional

areas in alignment with the highest standards of practice from the state or district in which the school is located.

Annually, parents must be notified in writing of a number of safeguards to protect their rights before the public agency accesses the child's or parent's public benefits or insurance to pay for services under the IDEA for the first time and annually thereafter. 34 CFR §300.154(d)(2)(v). Second, a one-time written consent from the parent must be obtained to meet the requirements of 34 CFR §99.30 and §300.622. It must specify that the parent understands and agrees that their child or the parent's public benefits or insurance to pay for special education or related services under part 300 (services under the IDEA). 34 CFR §300.154(d)(2)(iv), may be accessed. This is a one-time consent.

The Nonpublic school must provide services that are listed in the student's IEP regardless of whether the services are covered and billed to Medicaid.

The Nonpublic school must safeguard student records in accordance with the Federal Family Educational Rights and Privacy Act (FERPA) and applicable provisions of the Health Insurance Portability and Accountability Act (HIPAA).

General Requirements for Nonpublic Schools Participation in Medicaid Reimbursement

C. Medicaid Claiming Requirements

Nonpublic schools are responsible for ensuring that the following steps are taken for Medicaid claiming purposes:

- Assisting in the identification of additional Medicaid-eligible children as they enter the school system or become eligible for special education services;
- Obtaining parental consent to claim for eligible services and filing documentation in each student's record in SEDS;
- Identifying annually which providers meet licensure requirements that allow for Medicaid claiming;
- Communicate the requirement and process for providers to acquire National Provider Identifier Numbers
- Notifying qualified providers of the students on their caseloads who are eligible for Medicaid;
- Maintaining confidentiality for students in accordance with all applicable laws
- Include progress notes for dates of service;
- Provide accurate documentation of appropriate provider qualifications; and
- Submitting monthly student attendance records.

VII. Disputes

Disputes will be issued pursuant to the District of Columbia Municipal Regulations 5-A DCMR Chapters 2800 and 2900, including the following:

It is the general policy of the District of Columbia that disputes be avoided, whenever possible, through excellent customer service, and through conscientious communication with providers with the goal of resolving outstanding issues informally. It is the policy of the OSSE not to raise a dispute for lack of required information, unless and until an attempt has been made to obtain the information informally. Disputes that are not resolved informally are resolved pursuant to 5-A DCMR Chapter 2900.

The regulations governing the issuance of disputes are as follows:

1. OSSE may dispute any charges submitted on an invoice based upon the adequacy of the information provided.
2. OSSE will pay the undisputed amount of the invoice within the same time frame as all other undisputed invoices.

Pursuant to 5-A DCMR, Chapter 2900, OSSE may dispute an invoice for services by transmitting a dispute notification electronically, by facsimile, by hand delivery or by mail, not later than the 5th or 15th day of the month after the corresponding invoice processing date (no longer than 30 days).

The dispute notification shall include the following information:

- (a) A detailed description of the basis for the dispute, including documentation and policies relied upon;
- (b) The name(s) of the student(s);
- (c) Identification of the specific service(s) being disputed;
- (d) Date(s) of the service(s) being disputed;
- (e) The amount of the dispute;
- (f) The invoice identification number and payment due date of the 5th or 15th day of the month;

- (g) Documentation to support a dispute shall include, as appropriate, but is not limited to: a cost sheet, identification of IEP, HOD, Court Order, SA, policy and/or other administrative documentation (a copy or description of the relevant portions of such documents); and
- (h) A dispute notification shall inform the provider of the procedures that the provider must follow in order to object to the dispute, including the provider's right to seek a hearing before the Office of Administrative Hearings (OAH) no later than 75 calendar days after the invoice processing date. The notification shall also include contact information for requesting a hearing before the OAH.

If a dispute is not resolved, a provider may file a written request for a hearing before the OAH within 75 calendar days after the invoice processing date seeking payment for an invoice that has either been disputed or has not been paid within the timeframes set forth in Chapter 2900.

VIII. Additional Information

A. Monthly Reports

Monthly invoice payment, dispute, and provider address reports from OSSE shall be produced according to 5-A DCMR Chapter 2900.

B. Alternative Payments

The availability of alternative payment arrangements may be allowed in certain circumstances, at the discretion of the OSSE and consistent with OCFO, local law, rules and regulations, and for good cause.

C. Annual Proof of Residency

District of Columbia regulations require all District students to provide proof of residency, annually, by no later than October 5th (D.C. Official Code § 38-308). This regulation applies to District students attending nonpublic schools in the District and in other states. The LEA is responsible for requesting, collecting, recording, and reporting proof of residency for all students. Parents are responsible for submitting specific documents, to support proof of residency, to the LEA by the designated deadlines. Students who have not successfully proven DC residency will be considered non-DC residents. As a result, and pursuant to District law and regulations, the District is not responsible for the funding of educational services, including transportation and other related services, for students who are not residents of the District of

Columbia. The OSSE Nonpublic Payment Unit (NPU) will notify all nonpublic schools and programs of the intent to cease funding through the invoice submission process when residency is not successfully proven, in addition to LEA advisement. It is important to know that failure to prove residency can lead to discontinuation of nonpublic placement funding.

D. LEA Enrollment

District students attending nonpublic schools with placements funded by the District are required to be enrolled in a District LEA. In the cases where an LEA has closed or a student ages out of the grades served by an LEA, the parent is required to enroll the student in a new LEA of their own choosing. The District of Columbia Public Schools (DCPS) has responsibility for serving all students residing in the District, or parents may seek admission of their child in one of the many public charter schools in the District in accordance with the charter school's admission requirements:

- *District of Columbia Public Schools:* All District of Columbia students have a right to enroll in their neighborhood District of Columbia Public School. DCPS also has specialty schools and programs with additional enrollment requirements. To locate your child's neighborhood school or to find out more information about enrolling in DCPS please visit www.dc.gov/DCPS or contact DCPS at (202) 478-5738.
- *District of Columbia Public Charter Schools:* All District of Columbia students have a right to enroll in any public charter school with open slots in the grade for which they seek admission. To identify a charter school that serves your child's grade level please visit the District of Columbia Public Charter School Board's website at <http://www.dcpubliccharter.com/> or contact them by phone at (202) 328-2660.

OSSE, as the SEA, has the ultimate responsibility to ensure that children with disabilities receive a free appropriate public education (FAPE) as required by the Individuals with Disabilities Education Act (IDEA) (20 United States Code 1400 et seq.) and District of Columbia law and regulations. OSSE discharges that responsibility through LEAs, which have direct responsibility to provide education services to children with disabilities to ensure that they receive FAPE. Funding in a nonpublic special education program for District students must be authorized by a District public agency – typically the LEA in which the student is enrolled, with the exception of Court Ordered placements. Therefore, enrollment in an LEA is necessary to ensure that students continue to receive the important services to which he or she is entitled under law. Failure to enroll in a District LEA can lead to discontinuation of nonpublic placement funding.

VI. Travel Guidelines for Students and Families of Students Attending Residential Facilities

All student and parent travel reimbursements shall comply with the requirements established in the OSSE guidelines and in existing LEA policy. All providers are expected to have knowledge of and apply strict adherence to these policies. The OSSE Travel Guidelines are included in Addendum B of this document.

ADDENDUM A
OSSE Contact Information
Nonpublic Payment Unit (NPU)

OSSE INVOICES:

Postmarked Invoices (U.S. Mail) and Hand Deliveries/Express Mail

Nonpublic Payment Program
Office of the Chief Financial Officer
Office of the State Superintendent of Education
1200 First St. NE, 11th Floor
Washington, DC 20002

OSSE CUSTOMER SERVICE CONTACTS:

Division of Systems and Supports, K-12

Yvonne Smith, Director, Nonpublic Payment Unit and Medicaid Recovery Unit

Direct Line: (202) 741-5996

Email: YvonneS.Smith@dc.gov

Office of the Chief Financial Officer

Patricia Thomas, Manager, OCFO Finance

Direct Line: (202) 442-5284

Email: Patricia.Thomas2@dc.gov

ADDENDUM B
OSSE Travel Guidelines
Travel Guidelines for Students and Families of Students Attending
Residential Schools

Travel Guide

OSSE may fund travel for four trips, each academic school year, to ensure that a student enrolled in a District of Columbia LEA and placed into a residential school program, is provided a Free and Appropriate Public Education (FAPE).

Funding for each trip will cover allowable costs as detailed herein for a student, one parent/guardian or one accompanying adult, or a designated school staff person to travel to and from the residential site and the student's District of Columbia home address.

These are travel guidelines for students in residential placements only. This guide is separate and apart from transportation that occurs to and from school daily and for local travel for students who are placed in nonpublic day programs. Travel funding and arrangements for students placed by agencies other than District LEAs are not included under this policy and will not be reimbursed by OSSE.

Travel Determination

The LEA of enrollment, the residential school, and the parent/guardian must discuss the need for the student and/or parent/guardian to travel during initial placement, during annual IEP Team meetings, and in any discussions regarding the implementation of a student's IEP. A travel plan and schedule must be created based upon an identified educational need and must be documented in the student's IEP by the LEA of enrollment. Requests for travel that are not documented in a student's IEP must be reviewed and approved as an allowable exception by OSSE; and, approval for this circumstance will be determined on a case by case basis.

Travel Documentation

The need to travel must be written into the student's official IEP. A student's, parent/guardian's and/or school staff's identified need to travel must be included in the student's IEP. IEP documentation should identify the need for travel, the reason for travel, must be related to an IEP goal, and document the anticipated dates of travel. This information should be inserted under the applicable service(s) area (e.g. include as a "Goal" under the counseling service area) AND in the "Transportation" section of the IEP as transportation = "yes". The actual details of the travel plan should be documented in the "Mode of Transportation" section of the IEP. If an IEP is currently in effect, an amendment to the IEP will be required. Eligibility for travel funding may be provided when it has been determined and documented by the student's IEP Team that the service is necessary to ensure FAPE and to implement a student's IEP, and after a Location Assignment (LA) and/or an LEA's Prior Written

Notice of Placement (PWN) has been issued. All travel plans, rates, allowable costs, dates, and travel times must be authorized by the LEA of enrollment and/or OSSE, and must be documented in a student's travel plan, prior to confirming travel arrangements, prior to travel completion, and shall follow the cost limitations set herein.

Travel Funding, Costs and Payment

Payment will be remitted in the form of a reimbursement made directly to the residential school through the monthly invoice process, only after travel has been completed. Payment to a parent/guardian is prohibited and can only be done with prior approval from OSSE. OSSE approval is provided on a case by case basis. Travel will not be funded if it has not been properly authorized by the LEA of enrollment and in accordance with this OSSE policy.

A residential school's offer to fund travel can be considered in lieu of OSSE funding, if the LEA of enrollment determines that the school can provide the necessary and appropriate travel funding to implement the student's IEP. OSSE travel funding may also be used to supplement school funding to ensure that a student's IEP is implemented; however, this will be determined on a case by case basis.

All OSSE funded travel requests, whether in an IEP or when being considered as an exception, must be reviewed by the LEA of enrollment and/or OSSE prior to confirming travel arrangements, prior to travel completion, and shall follow the cost limitations set below:

- The mode of travel will be approved based upon the lowest of three rate quotes and compatibility with LEA approved travel dates and times.
- Hotel lodging and meals will be funded at rates not to exceed the US General Services Administration (GSA) rate listing. The GSA rates can be reviewed at <http://www.gsa.gov/portal/content/100715>., and will be approved on a case by case basis.
- All other requests for travel-related costs, not listed or identified herein, must be reviewed and approved by OSSE, only, prior to travel confirmation and completion. Travel through a third party or secured transport can only be approved by OSSE, as an exception, when requested by the LEA.

If a parent/guardian or school chooses not to utilize the mode of travel authorized by the LEA, the authorized traveler will not be reimbursed any amounts that exceed the authorized travel amount.

Travel Procedures

1. A request to travel shall be submitted to the residential facility and the placing LEA a minimum of 45 days prior to travel, when possible.
2. The LEA of enrollment shall review the OSSE and LEA travel policies with the parent/guardian and the residential facility.
3. The LEA of enrollment must obtain written acknowledgment from the parents/guardians and residential school documenting that the travel policies and cost allowances have been reviewed.
4. All travel arrangements must be submitted to OSSE by the LEA of enrollment 30 days, when possible, prior to travel, in cases where OSSE approval is required.
5. Final approval by the LEA of enrollment is required before travel.
6. All original receipts for travel expenses incurred are required with requests or invoices for reimbursement.
7. Upon travel completion, requests for reimbursement from parents/guardians must be submitted to the LEA for review prior to OSSE submission. Upon completion of LEA review, the LEA must submit the request to OSSE utilizing the OSSE LEA Travel Reimbursement Form (obtained from OSSE). The submission must include: the LEA authorization, all original travel receipts, and a completed W-9 form, as applicable, no later than 30 days after travel and must meet the requirements identified under cost limitations and the reimbursement guidelines for parents.
8. Upon travel completion, requests for reimbursement from a residential school must be submitted to the LEA for review prior to OSSE submission. Upon completion of LEA review, the school must submit the request to OSSE utilizing the monthly invoice process. The invoice must include: a copy of the school's travel authorization, a copy of the LEA's travel authorization, a finalized travel itinerary, and the original travel receipts. The monthly invoice submission must meet the requirements identified under cost limitations and the reimbursement guidelines for residential schools.

Parent/Guardian and/or Residential School Travel Reimbursement Requests

Requests for travel reimbursement must contain the following information:

1. Student's name, date of birth and student ID number provided by the District of Columbia, if known;
2. The name of the school attended by the student;
3. The name(s) of the person(s) who traveled;
4. The requestor's relationship to the student (i.e. parent/guardian, school staff, LEA, etc.);
5. The exact points of travel (List all points of travel, i.e. from/to for all travel destinations);
6. The name of the person requesting the reimbursement;
7. An itemized list of the costs to be paid and the corresponding amounts to be paid;
8. The name of the person to whom the reimbursement will be made payable;
9. Proof of payment (i.e. original travel ticket, copy of credit card receipt, copy of a canceled check, or original receipt of payment from provider, etc.); and
10. A copy of the travel authorization or other legally obligating document that designates payment be made by the District of Columbia.

Travel Funding Frequently Asked Questions (FAQs)

1. What students and/or parents qualify for OSSE travel reimbursement?

The student must have been placed by a District LEA, DCPS or District Charter School, at a residential school for educational reasons, and the student must have a current IEP on file. Travel for students placed by other DC agencies will not be funded by OSSE.

With proper LEA authorization, one family member over 18 may be allowed to escort a student to and from a residential facility in accordance with the travel policy.

2. When does travel funding begin?

Travel funding becomes available upon issuance of a student's full acceptance to a residential school, and after a location assignment (LA) has been issued and after the LEA of enrollment has issued a placement notice (Prior Written Notice (PWN) or Location of Service (LOS)), when applicable, and when the student arrives at the school location.

Travel authorizations requested when a conditional acceptance has been issued by a school or when a conditional location assignment (CLA) have been issued must be approved by OSSE, only, and must include justification for travel. Travel approval for this circumstance will be provided on a case by case basis.

3. When travel is identified, where should it be documented?

A student's, parent/guardian's, and/or a designated school staff person's identified need to travel must be documented in the student's official IEP. If an IEP is currently in effect, an amendment to the IEP will be required. IEP documentation should identify the need for travel, must be related to an IEP objective or goal, along with the anticipated dates of travel. This information should be inserted under the applicable service(s) area (e.g. include as a "Goal" under the counseling service area) AND in the "Transportation" section noted as transportation = "yes". The actual details of the travel plan should be documented in the "Mode of Transportation" section of the IEP.

4. When a District student is placed in an out-of-state residential school, how many times can the OSSE travel policy permit reimbursement for travel?

OSSE may fund 4 trips as documented and determined necessary to implement a student's IEP and to provide FAPE. These trips may be approved each academic school year. The need for additional travel must be approved by OSSE, only, and will be determined on a case by case basis.

5. Will OSSE fund travel if a residential school has its own travel policy and funding?

OSSE or the LEA may create a travel agreement with a residential school, or a school may have an existing policy. The need for student travel, and which entity will fund it, should be identified and discussed during the initial meetings after placement has been determined, or during the student's first IEP Team meeting with the new school, and/or during any subsequent meetings conducted with the LEA of enrollment, the school, and/or parent/guardian. The need to travel should also be discussed annually, including during annual IEP meetings. In the case where a residential school has agreed to fund travel, the school's travel funding should be exhausted prior to considering additional OSSE funding. The school's agreement to fund must be written into the student's official IEP.

6. Will OSSE fund a student and parent/guardian's travel to visit a school prior to receiving a full acceptance from the school, or prior to receiving a location assignment and/or an LEA placement notice (PWN)?

OSSE travel funding begins after a school has provided a full acceptance and a Location Assignment (LA) and/or an LEA notice of placement, if applicable, have been issued. In the case that a conditional acceptance or a conditional location assignment (CLA) is issued and a visit to a school is requested by the school, prior to receiving a full acceptance from the school, OSSE's approval will be required along with a written explanation from the school specifically documenting why the student visit is needed. Approval for this type of travel can be approved, by OSSE only, and on a case by case basis.

7. What is an academic school year?

An academic school year will be determined in accordance with the school calendar submitted to OSSE through the annual rate review process for the applicable school year or as submitted by new providers.

8. Where can a person travel?

Students/parents/guardians may travel between their DC residence and the residential school of placement only. School staff can travel between the residential school of placement and the location of the specified mode of travel (i.e. airport, train or bus station, etc.). Local travel around the District or around the residential school area is not reimbursable.

9. Will OSSE pay for all travel expenses?

OSSE does not pay for all travel expenses. Typical covered costs are mileage, automobile rentals, bus fare, train fare and airfare. School staff travel time, tolls, gas (gas and tolls are included as part of mileage and car rental fees), local travel in the District and around the residential school area, entertainment and recreation, and other incidental costs are not allowable expenses. Reimbursement for meals must also be approved prior to travel.

Parents/guardians and residential facilities are expected to seek out services at a reasonable rate, or no more than the GSA listed rates for hotel and food. The GSA rates can be found at <http://www.gsa.gov/portal/content/100715>. Only OSSE has the discretion to approve special exceptions, including travel through a 3rd party or secured transport, upon written request by the LEA, prior to travel confirmation and completion, and on a case by case basis. Approval for exceptions will not be granted unless exceptional need is demonstrated.

10. What fees will be reimbursed for each mode of travel?

Personal Vehicle

A personally owned vehicle will be reimbursed in accordance with the GSA mileage rates as documented on their website. The cost of gas and tolls is included in the overall GSA mileage rate. Incidentals such as, meals, snacks, drinks, and etc., are not reimbursable fees. The GSA website is located at <http://www.gsa.gov/portal/content/100715>.

Car Rental

A car rental will be reimbursed at the cost of an economy size car rental fee. Car rental insurance will not be covered. Parents/guardians must utilize a private insurance plan and/or pay for insurance out of their own expenses. In addition, specialty services associated with a car rental will not be covered. Parents/guardians must pay for all specialty services out of their own expenses. Incidentals such as, meals, snacks, drinks, and etc., are not reimbursable fees.

Bus

Bus travel will be reimbursed the cost of an economy/coach bus ticket, and the lowest of three (3) rate quotes, that are in compliance with the LEA of enrollment's approved travel dates and times. Incidentals such as, travel insurance, meals, snacks, drinks, and etc., are not reimbursable fees.

Train

Train travel will be reimbursed the cost of a coach/economy rail ticket and the lowest of three (3) rate quotes that are in compliance with the LEA of enrollment's approved travel dates and times. Incidentals such as travel insurance, meals, snacks, drinks, and etc., are not reimbursable fees.

Airfare

Airline travel will be reimbursed the cost of an airline coach/economy ticket and the lowest of three rate quotes that are in compliance with the LEA of enrollment's approved travel dates and times along with any required luggage fees for one bag only. Incidentals such as travel insurance, meals, snacks, drinks, and etc., are not reimbursable fees.

11. Are hotel lodgings and meals reimbursable expenses?

Hotel and meal expenses must be authorized by OSSE, only, on a case by case basis, when an exceptional need is demonstrated.

12. What constitutes a funded trip?

- If a parent or student chooses one way travel instead of one way and a return, he or she forfeits the round trip, and the one way is considered a trip.
- Student travel with up to 1 parent/guardian constitutes a trip.
- Student travel with 1 school staff person constitutes a trip.
- Student travel with 1 parent/guardian and 1 school staff constitutes a trip. However, this combination of travelers requires OSSE approval prior to the travel.
- A student's initial travel to a residential facility upon placement constitutes a trip.
- A student's discharge from a residential facility constitutes a trip.
- Any combination of the above listed scenarios, as a round trip between the residential facility and the student's home, constitutes a trip.

With proper LEA authorization, one family member over 18 may be allowed to escort a student to and from a residential facility, in accordance with the travel policy allowances, and this, too, is considered a trip.

13. Whose expenses can be reimbursed for travel under the OSSE Travel policy?

- The student.
- One (1) Parent (mother, or father, or a guardian), or other adult designated by the parent and authorized by the LEA.
- One (1) Residential school staff person.

All exceptions to this list of travelers must be reviewed and approved by OSSE, only, on a case by case basis, when an exceptional need is demonstrated.

14. How many travelers can be reimbursed each trip?

A maximum of two travelers, as designated below, may be reimbursed in the following combinations:

- A student who is able to travel alone (1 Traveler), with the proper authorization
- A student and one parent/guardian or 1 designated adult over 18 (2 Travelers).
- A student and one school staff (2 Travelers)

All requests for additional travelers must be approved by OSSE prior to travel. The LEA must submit a written request with documented justification. OSSE will provide approval on a case by case basis, when an exceptional need is demonstrated.

15. Can authorization for travel be denied?

Yes. Travel can be denied when the school is closed but the residential housing facility is open. Travel approval and denial will also be provided in accordance with what is documented in an IEP and is consistent with these guidelines. Any exceptions will be made on a case by case basis, when exceptional need is demonstrated, and at the discretion of the LEA and/or OSSE.

16. Can a parent/guardian/school staff choose not to travel by a mode specified by the LEA?

Yes, however, the parent/guardian/school staff will be responsible for payment of all fees that exceed the approved specified mode. The parent/guardian/school must obtain prior written approval, from OSSE, before confirming or completing this type of travel.

17. Can reimbursement be made without receipts?

No. Reimbursement will only be remitted for costs supported by an original receipt.

18. Is reimbursement allowed for shipping or baggage costs?

The student's belongings should travel with the student, parent/guardian, or school staff at the time of travel, utilizing the authorized mode of travel. Reimbursement is not allowed for items shipped separately from the traveler(s). OSSE will reimburse the cost of one article of luggage, only, when the transport mode imposes a fee for all stored baggage. However, when baggage storage is free for the first bag, and the traveler chooses to store additional bags than the free storage allows, the cost is incurred at the traveler's expense.

19. Will OSSE reimburse a residential school for staff travel time?

No, staff time is compensated through the school's established employee salary agreement.

20. Will OSSE reimburse travel fees that have not been approved or authorized?

No. All travel must be approved and authorized prior to confirmation and travel completion. Parents/guardians/schools assume payment responsibility and risk of non-payment when travel is not preapproved. OSSE can deny reimbursement for improperly authorized or unauthorized travel.