



West Virginia Students with Disabilities in Out-of-State Facilities

Report • FY21

Office of Federal Programs & Support



West Virginia Board of Education
2022-2023

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West Virginia Students With Disabilities in Out-of-State Residential Facilities

ANNUAL REPORT • FY21

Purpose

The purpose of this report is to provide basic information regarding students with disabilities who have been placed by the West Virginia Department of Health and Human Resources (WVDHHR) or by local education agencies (LEAs) in out-of-state residential facilities. This information is a compilation of financial reports by the West Virginia Department of Education (WVDE), Office of Federal Programs and Support (OFPS) and the Office of Internal Operations (OIO).

Introduction

The information in this report is organized into two sections:

1. students with disabilities placed via court order by WVDHHR in out-of-state facilities for non- educational purposes, who are continuing to receive special education services under a current Individualized Education Program (IEP), and
2. students placed by LEAs in out-of-state facilities when a free appropriate public education (FAPE) cannot be provided within the county, the region or the state.

STUDENTS PLACED BY WVDHHR IN OUT-OF-STATE FACILITIES FOR NON-EDUCATIONAL PURPOSES

West Virginia (WV) Code, Chapter 49 Child Welfare provides a coordinated system of child welfare and juvenile justice for the children of West Virginia. It provides for removing a child from the custody of his parents and to secure custody, care and discipline for the child consistent with the child's best interests. The WVDHHR is designated as the agency that administers child welfare services in West Virginia.

The WVDHHR is authorized by West Virginia Code §49-2-16 to provide care, support and protective services for children who need public service. The WVDHHR is also authorized to accept custody of children committed to its care by the courts. A child committed to the WVDHHR for custody remains in the care of the Department until he reaches eighteen years of age or is discharged because he is no longer in need of care.

As the agency administering the care and custody of children, WVDHHR has the authority to place children in suitable environments and with persons or facilities having the appropriate qualifications to provide a necessary and desirable degree and type of care. As the placing agency, WVDHHR has the financial responsibility for the support and maintenance of the child during the continuance of the placement.

Any costs, including educational costs, that are involved in this out-of-state placement are properly regarded as part of “financial support and maintenance.” In 1993, the WVDHHR and the WVDE entered into an interagency agreement with the provision that the WVDE fund the special education costs of eligible students with disabilities in accordance with federal and state statutes and regulations. A new agreement signed September 9, 2012, addresses eligible students placed by WVDHHR in out-of-state facilities for non-educational purposes, who are eligible for special education services according to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and WV Board Policy 2419: Regulations for the Education of Students with Exceptionalities prior to WVDHHR placement and who are receiving special education services within West Virginia under a current IEP at the time of placement.

Until 1998, in accordance with the terms of the previous interagency agreement, WVDHHR paid the total costs of the out-of-state placements and was reimbursed by WVDE for the special education costs. In 1998, WVDHHR notified the out-of-state agencies to invoice WVDE separately for special education costs. WVDE began contracting directly with the out-of-state facilities through contracts separate from WVDHHR. The WVDE, OFPS receives invoices for special education services, verifies student eligibility and home LEA, assures that the facility develops a new IEP with collaboration from the WV LEA to reflect the change in placement and approves the invoices for payment. Finally, payment is made through the WV Auditor’s Office under the authority of the contract.

The IDEA assigns to each state educational agency (SEA) the general supervisory authority for ensuring educational services is provided to all eligible students with disabilities in accordance with federal and state statutes and regulations. The educational monitoring of out-of-state facilities began in April 2002 by the WVDE. In 2012, an interagency team, consisting of WVDE and WVDHHR developed the Interagency Consolidated Monitoring Manual, which describes the procedures to thoroughly and consistently monitor out-of-state facilities serving WV students to ensure appropriate treatment and educational services are being provided in a safe environment.

A monitoring team representing the WVDE and WVDHHR conducts on-site reviews of facilities out-of-state that are providing services for WV students. The goal is to identify facilities having demonstrated success in promoting growth and expected outcomes for students as defined within the West Virginia Out-of-State Facilities Standards. If the WVDE or the WVDHHR identifies deficiencies that would cause sanctions to be imposed, either agency agrees to honor those sanctions. An interagency monitoring report is issued following the on-site visit.

The interagency team (WVDE and WVDHHR) reviews five (5) facilities per year. Facilities are selected for review based on the number of WV students enrolled, and the amount of time elapsed since the last review of the facility or reports of concerns regarding the care or education of students residing at the facility.

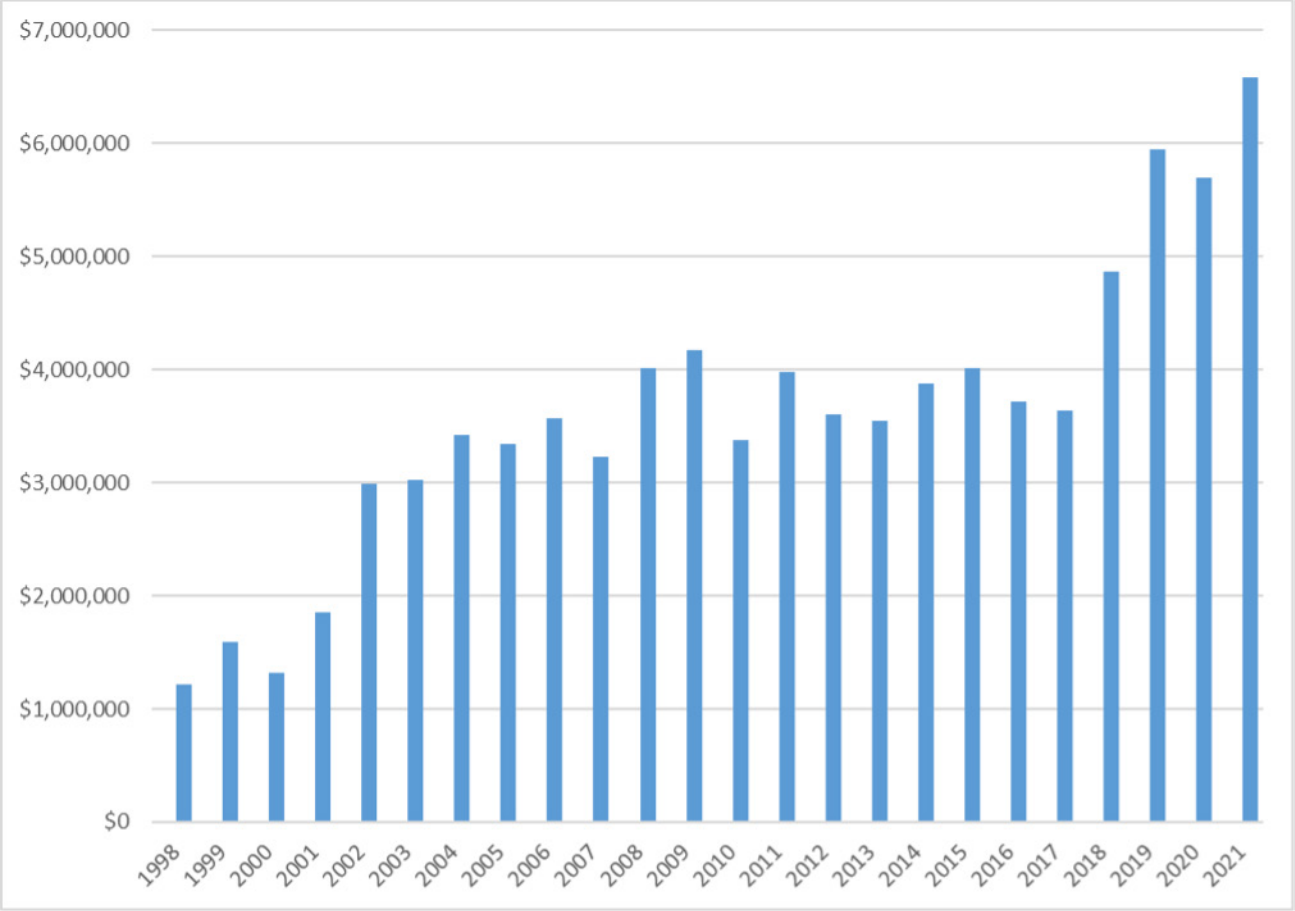
WV Students With Disabilities in Residential Facilities Expenditures • FY 2021

The chart below includes expenditures for educational services provided in out-of-state facilities serving WV eligible students with disabilities placed by WVDHHR from July 1, 2020, through June 30, 2021, and paid through February 8, 2022. The number of eligible students served from year to year in each facility varies depending on factors such as the availability of foster care, availability of treatment, age of student, length of court ordered placement and the number of times a student is transferred from one facility to another. The total number of students placed in each facility during FY21 is not equal to the total number of students in out-of-state facilities at a given point in time. Students may move from one facility to another, whereby they are counted more than once, some may be in a facility temporarily, and some have been placed in the previous fiscal year. Facilities with no cost reflected in the chart below have either not submitted invoices for services provided or have not submitted the required documentation to secure payment.

Out-of-State	Cost (as of 2/8/22)	Students Served
ABS Lincs SC, Inc. dba Palmetto Pines Beh. He.		1
Alabama Clinical Schools	74,720.00	10
Bellefaire Jewish Children's Bureau	45,473.12	2
Bradley Center Inc.	39,759.59	5
Chestnut Hill/Springbrook	216,580.00	8
Childhelp, Inc.	42,668.44	3
Clarinda Youth Corporation dba Clarinda Academy		1
Community Specialist Corporation dba New Outlook Academy		3
Cornell Abraxas Group, Inc.	448,420.99	46
Devereux Foundation, Inc.	767,855.10	22
Detroit Behavioral Institute LLC dba Capstone Academy		1
Echoing Hills		1
George Junior Republic in PA	219,930.38	18
Grafton Schools, Inc.	504,082.20	11
Gulf Coast Treatment Center, Inc.	195,450.00	12
Habilitation Center LLC dba Millcreek of AR		7
Harbor Point Behavioral Health Center Inc.	343,434.00	20
HHC Augusta Inc.	44,735.00	5
Hughes Center, LLC	1,336,780.00	29
Keystone Continuum, LLC dba Cedar Grove Residential Treatment Center	50,645.10	12
Keystone Continuum, LLC dba Mountain Youth Academy	3,600.00	1

Out-of-State	Cost (as of 2/8/22)	Students Served
Keystone Continuum, LLC dba Natchez Trace Youth Academy	31,470.72	2
Keystone Newport News Behavior	82,230.00	4
Keystone Richard Center LLC dba Foundations for Living	53,380.00	3
Kidspeace National Centers, Inc.	284,420.40	18
Lakeside for Children dba Lakeside Academy		1
Laurel Heights (UHS)		6
Leary Educational Foundation, Inc. dba Timber Ridge School	436,888.00	20
Liberty Point Behavioral Healthcare, LLC	591,115.50	20
New Hope Carolinas, Inc.	109,464.18	13
Options Treatment Center Acquisition Corporation dba Option Behavioral Health		1
Pediatric Specialty Care at Hopewell Area School District		2
Sequel School, LLC dba Northern Illinois Academy		1
SP/Sandy Pines		10
Summit School Inc.	95,246.44	11
Tennessee Clinical Schools, LLC dba Hermitage Hall	213,145.60	14
UHS of Doylestown dba Foundations Behavioral Health		1
UHS of Laurel Heights, LP Health	107,800.00	4
Woods Services, Inc.	64,676.30	6
Woodward Academy		4
Youth Villages, Inc.	23,652.28	1
Total	\$6,580,236.34	360

WV Department of Education Invoices Paid for Students Placed in Out-of-State, Fiscal Years 1998 Through 2021



Note: Subject to increase with receipt of additional invoices.

Invoices Paid for Services by Fiscal Year

Fiscal Year	Invoices Paid
FY98	\$1,210,837.31
FY99	\$1,593,688.64
FY00	\$1,321,605.40
FY01	\$1,854,138.50
FY02	\$2,994,093.06
FY03	\$3,021,642.61
FY04	\$3,421,851.09
FY05	\$3,338,084.36
FY06	\$3,573,157.95
FY07	\$3,232,936.53
FY08	\$4,008,369.83
FY09	\$4,176,464.00
FY10	\$3,372,000.00
FY11	\$3,977,000.00
FY12	\$3,609,048.45
FY13	\$3,544,236.59
FY14	\$3,881,336.94
FY15	\$4,016,404.43
FY16	\$3,716,884.53
FY17	\$3,637,838.98
FY18	\$4,862,788.02
FY19	\$5,951,313.87
FY20	\$5,691,364.16
FY21	\$6,580,236.34

West Virginia LEAs with Most DHHR Placements Out of State FY21

County	DHHR Placements
Kanawha	36
Berkeley	33
Cabell	28
Harrison	25
Ohio	19
Raleigh	15
Wood	15
Hancock	13
Monongalia	12
Jefferson	11
Mercer	11
Hampshire	9

Facility Rates:

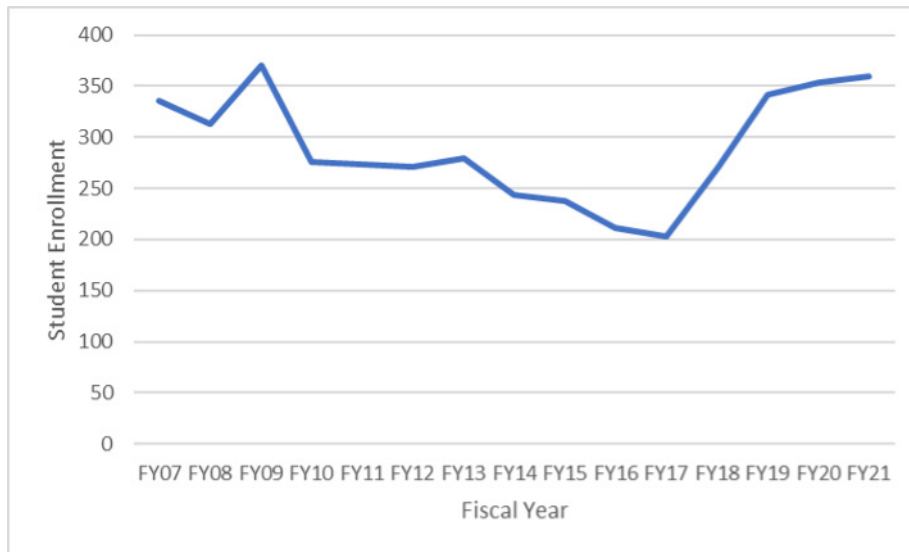
Out-of-State	State	Daily Educational Rate FY20	Daily Educational Rate FY21	Daily Educational Rate FY22	Additional Expenditures
Adelphoi	PA	\$135.09	\$141.84	No contract	
Alabama Clinical Schools	AL	\$160.00	\$160.00	\$175.00	
Bellefaire Jewish Children's Bureau	OH	\$454.92	\$454.92	\$235.24	
The Bradley Center, Inc.	PA	\$360.79	No contract	No contract	Therapies billed separately
Care Youth/Red Rock	UT	No contract	No contract	No contract	
Chestnut Hill Mental Health dba Springbrook Behavioral Health System	SC	\$240.00	\$245.00	\$175.00	
Childhelp USA	VA	\$168.00	\$171.36	\$175.00	Therapies billed separately
Clarinda Youth Corp.	IA	\$100.00	\$100.00	No contract	
Cornell Abraxas Group, Inc.	PA	\$99.84	\$107.83	\$113.22	Therapies billed separately

Out-of-State	State	Daily Educational Rate FY20	Daily Educational Rate FY21	Daily Educational Rate FY22	Additional Expenditures
Cumberland Hospital	VA	\$220.00	No contract	No contract	
Devereux Foundation, Inc.	PA	\$300.00	\$300.00 (GA Center)	No contract	
Gallia County Local School District	OH	\$119.86	No contract	No contract	
George Jr. Republic in PA	PA	\$363.77	\$371.05	\$175.00	
Grafton Schools, Inc.	VA	\$386.25	\$393.98	\$350.00	Therapies billed separately
Gulf Coast Youth Services	FL	\$150.00	\$150.00	\$165.00	
Harbor Point	VA	\$215.00	\$300.00	\$225.00	
HHC Augusta, Inc. dba Lighthouse Care Center of Augusta	GA		\$230.00	No contract	
Hughes Center	VA	\$355.00	\$360.00	\$350.00	
Keystone Continuum, LLC dba Cedar Grove Residential Treatment Center	TN	\$165.00	\$169.95	\$175.00	
Keystone Continuum, LC dba Mountain Youth Academy	TN	\$200.00	\$200.00	No contract	
Keystone Continuum, LLC dba Natchez Trace Youth Academy	TN	\$159.14	\$163.91	\$175.00	
Keystone Newport News, LLC	VA	\$200.00	\$205.00	\$215.25	
Keystone Richland Center, LLC Foundations for Living	OH	\$160.00	\$170.00	\$175.00	
Kids Peace National Centers, Inc.	PA	\$245.19	\$245.19	\$220.89	
Laurel Oaks Behavioral Health Center	AL	No contract	\$200.00	\$200.00	
Leary Educational Foundation (dba TR), Timber Ridge School	VA	\$218.64	\$225.20	\$225.20	Therapies billed separately
Liberty Point Healthcare, LLC	VA	\$273.00	\$273.00	\$250.00	Therapies billed separately
New Hope Carolinas, Inc.	SC	\$216.51	\$216.51	\$175.00	
Pediatric Specialty Care (Hopewell Area School District)	PA	\$500.00	\$500.00	\$175.00	
Sequel Schools (Kingston&Norris)	TN	No contract	No contract	No contract	
Summit Schools, Inc. (Include. NA)	PA	\$162.87	\$166.43	\$170.59	

Out-of-State	State	Daily Educational Rate FY20	Daily Educational Rate FY21	Daily Educational Rate FY22	Additional Expenditures
SP Behavioral LLC	FL	\$175.00	\$185.00	\$185.00	
Tennessee Clinical/ Hermitage Hall	TN	\$160.00	\$164.80	\$175.00	
The Village Network	OH	\$155.00	No contract		
UHS of Doylestown	PA	No contract	\$500.00	No contract	
UHS of Laurel Heights	GA	No contract	\$190.00	\$190.00	
Woods Services, Inc.	PA	\$568.96	\$363.35	No Contract	
Woodward Academy	IA	\$100.00	\$100.00	\$110.00	
Youth Villages	TN	No contract	\$125.81	\$169.27	

Educational rates for some students may be less than the daily rate documented.

Out-of-State Student Enrollment of Students with Disabilities



Out-of-State Facility Student Enrollment Table

The following table illustrates the number of placements of students with disabilities served in out-of-state facilities initiated by the WVDHHR and the WV courts for the previous fifteen (15) years. These students were receiving special education and related services in WV LEAs prior to their non-educational placement out-of-state and continued to receive special education services under an IEP in the out-of-state facility.

Fiscal Year	Student Enrollment
FY07	336
FY08	313
FY09	370
FY10	276
FY11	274
FY12	271
FY13	280
FY14	244
FY15	237
FY16	211
FY17	203
FY18	270
FY19	342
FY20	353
FY21	360

An out-of-state facility is any residential childcare facility not within the borders of WV. The districts within the northern and eastern panhandles of WV, comprising 16% of West Virginia's counties, have out-of-state facilities located within 50 miles of the WV border. The chart below represents the number of students with disabilities from the Northern and Eastern panhandle placed in out-of-state facilities at the point-in-time child count that occurs in conjunction with the 2nd month report each school year.

Northern Panhandle

Point in Time Child Count	Brooke	Hancock	Marshall	Ohio
2020-2021	1	11	2	11
2019-2020	0	12	3	6
2018-2019	6	8	1	11
2017-2018	2	6	2	8
2016-2017	3	2	2	2
2015-2016	1	5	1	5
2014-2015	2	4	1	5
2013-2014	1	5	0	8
2012-2013	4	3	4	10
2011-2012	2	5	2	11
2010-2011	3	3	2	10

Eastern Panhandle

Point in Time Child Count	Berkeley	Hampshire	Jefferson	Mineral	Morgan
2020-2021	20	8	4	3	1
2019-2020	21	8	14	4	0
2018-2019	19	8	6	1	3
2017-2018	4	8	7	0	2
2016-2017	7	8	5	1	1
2015-2016	8	5	5	0	4
2014-2015	11	6	8	2	1
2013-2014	16	6	7	1	0
2012-2013	18	5	5	6	6
2011-2012	21	6	6	4	8
2010-2011	22	9	5	2	8

Percentage of Out-of-State Placements from the Northern and Eastern Panhandles based on point in time child count reported in October's 2nd month report:

- » 2020-2021: 61/184=33%
- » 2019-2020: 68/185= 37%
- » 2018-2019: 63/174= 36%
- » 2017-2018: 39/120= 33%
- » 2016-2017: 31/103= 30%
- » 2015-2016: 34/90 = 38%
- » 2014-2015: 40/119 =34%
- » 2013-2014: 44/130 =34%
- » 2012-2013: 61/131=47%
- » 2011-2012: 65/125=52%
- » 2010-2011: 64/126=51%

Available Funding Sources for Students Placed in Out-of-State Facilities by WVDHHR

LEAs pay 60% of the expense to educate students who are placed by WVDHHR in out-of-state facilities for non-educational reasons. Beginning with FY12, LEAs were instructed to enroll the students with disabilities placed out-of-state in WVEIS to access the state aid per pupil funds. LEAs could access additional funds for these students through the High Cost and High Acuity Reimbursement Application process.

Costs assessed to LEAs in FY21 were based on the number of students in out-of-state placements who were listed on the August 2019 Facts Report from WVDHHR (August 2019 is the most recent data available from WVDHHR for use for October 2019 point-in-time Child Count). The following is a summary of the final cost to LEAs, provided districts enrolled students and applied for reimbursement:

LEA assessed cost per OOS student affecting FY21 special education state aid.	\$ 19,095.00
State aid received per enrolled student.	\$ 4,624.29
Remaining (actual) cost to LEAs per OOS student	\$ 14,470.71

The out-of-state child count affecting FY21 state aid was *184 as reported on the October 2019 point-in-time Child Count. Funds totaling \$3,513,480 were subtracted from the LEA special education state aid. Additional remittances totaling \$392,482 were required from six LEAs whose allocations were insufficient to cover the cost. (*Does not include 3 students from WVSDT.)

Cost for OOS Students with Disabilities		Reimbursement Requests	Funding Received
LEA special education state aid funds (based on OOS enrollment 10-2019) 184 X \$19,095=\$3,513,480	\$3,513,480 ¹ (available)		State aid available based on OOS students enrolled at 2nd month in October 2019: 184 X \$4,624.29= \$850,869.36
WVDE Portion: Federal/ State Funds	\$3,066,756.34	127 High Cost/High Acuity Reimbursement Requested for OOS students 116 requests approved X \$14,470.71=\$1,678,602.36 ²	Total Reimbursement Issued to LEAs for OOS students = \$553,938.78
Total expenses paid in FY21 (as of 2/8/22)	\$6,580,236.34		

¹Includes remittances of \$392,482 from counties whose allocations were insufficient to cover tuition costs.

²Reimbursements were made at approximately 33% of amount requested. Calculation for prorated reimbursement was made after the exclusion of the state aid per enrolled student amount.

Projections for the cost to LEAs for the fiscal year 2022 were assessed using the second month point-in-time (October 2020) child count. The calculated amount will be withheld from the Special Education State Aid allocation. Projections for FY 2022 costs to LEAs and reimbursement are in the following table.

NAME	A DHHR OOS Placements - 10/01/2020	B Projected Cost for 2021-2022 per student (18,660)*	C Gross Special Education State Allocation	D Net Special Education Allocation	E Amount Due WVDE- OOS Placements
Barbour	4	74,640	83,085	8,445	-
Berkeley	20	373,200	357,055	-	16,145
Boone	1	18,660	95,146	76,485	-
Braxton	0	-	74,343	74,343	-
Brooke	1	18,660	92,040	73,380	-
Cabell	18	335,880	257,303	-	78,577
Calhoun	0	-	57,388	57,388	-
Clay	0	-	69,149	69,149	-
Doddridge	2	37,320	59,709	22,389	-
Fayette	4	74,640	134,990	60,350	-
Gilmer	0	-	55,326	55,326	-
Grant	1	18,660	64,649	45,989	-
Greenbrier	2	37,320	120,719	83,399	-
Hampshire	7	130,620	84,011	-	46,609
Hancock	11	205,260	110,656	-	94,604
Hardy	1	18,660	76,557	57,897	-
Harrison	7	130,620	227,271	96,651	-
Jackson	1	18,660	108,156	89,496	-
Jefferson	4	74,640	141,305	66,665	-
Kanawha	22	410,520	401,748	-	8,772
Lewis	4	74,640	79,439	4,799	-
Lincoln	0	-	96,402	96,402	-
Logan	3	55,980	126,484	70,504	-
Marion	3	55,980	148,630	92,650	-
Marshall	2	37,320	97,391	60,071	-
Mason	2	37,320	97,982	60,662	-
McDowell	5	93,300	87,332	-	5,968
Mercer	4	74,640	184,938	110,298	-
Mineral	3	55,980	115,269	59,289	-
Mingo	1	18,660	83,605	64,945	-
Monongalia	4	74,640	240,109	165,469	-
Monroe	0	-	69,040	69,040	-
Morgan	1	18,660	77,403	58,743	-
Nicholas	2	37,320	93,405	56,085	-
Ohio	11	205,260	114,077	-	91,183
Pendleton	1	18,660	57,502	38,842	-
Pleasants	0	-	58,533	58,533	-
Pocahontas	1	18,660	56,250	37,590	-
Preston	3	55,980	114,933	58,953	-
Putnam	2	37,320	189,929	152,609	-
Raleigh	9	167,940	212,960	45,020	-
Randolph	3	55,980	100,455	44,475	-
Ritchie	0	-	66,973	66,973	-
Roane	0	-	67,786	67,786	-
Summers	0	-	64,577	64,577	-
Taylor	1	18,660	79,732	61,072	-
Tucker	2	37,320	55,475	18,155	-
Tyler	0	-	64,765	64,765	-
Upshur	1	18,660	90,932	72,272	-
Wayne	1	18,660	166,671	148,211	-
Webster	0	-	60,193	60,193	-
Wetzel	0	-	83,416	83,416	-
Wirt	0	-	60,078	60,078	-
Wood	7	130,620	263,793	133,173	-
Wyoming	0	-	115,557	115,557	-
TOTAL	182	3,396,120	6,412,622	3,358,560	341,858

*Projected cost per LEA based on total cost for FY21 and total number of students at point in time count

States Serving West Virginia Students in Treatment Facilities

State	Number of Students
Pennsylvania	111
Virginia	105
Florida	39
South Carolina	22
Tennessee	21
Alabama	16
Georgia	13
Ohio	7
Arkansas	6
Iowa	5
Illinois	1
Indiana	1
Michigan	1
Missouri	1

These numbers represent the number of students who attended each facility at some point within FY21. Thirty-two students were transferred to more than one facility within this school year.

Highest Out-of-State Placements 2020-2021

Out-of-State Facility	Number of Students	State
Cornell Abraxas Group, Inc.	46	PA
Hughes Center	29	VA
Devereux	22	FL/GA/PA
Leary/Timber Ridge	20	VA
Liberty Point	20	VA
Harbor Point Behavior Health	19	VA

Students Placed by LEA in Out-of-State Facilities by the IEP Team

West Virginia Board Policy 2419: Regulations for the Education of Students with Exceptionalities provides that the LEA may place a student with a disability in a private school or facility outside of West Virginia through the IEP process after determining that FAPE cannot be provided within the county, within the region or within the state. The LEA must develop an IEP for the student, investigate more than one private school or facility, assure the selected private school or facility has approved status in the state in which it is located, meets the requirements of the IDEA and has a current signed contract between the LEA and the private school or facility.

After a student with a disability is placed in a private school or facility by the LEA, the LEA must continue to assure that special education and related services are provided in conformance with an IEP, and the education meets the standards which apply to education provided by the LEA or the private school or facility. The LEA must ensure the parents and an LEA representative remain involved in any decision about the student’s IEP and agree to any proposed changes in the IEP before those changes are implemented by the private school or facility.

As the placing agency, the LEA has the financial responsibility for support and maintenance of the student during the continuance of the placement. Funds to support the provision of these services are provided to LEAs through the state’s public school support system, state special education entitlement, IDEA Part B entitlement and Medicaid reimbursement. In addition, the WVDE supports the LEAs through the state special education out-of-state funds. This support, however, may not cover the county’s total cost for placing a student in an out-of-state facility. The following chart reflects the costs reported by the LEA and the support from WVDE.

Office of Special Programs

Out-of-State Grant Awards to Support IEP Placements FY21

Awards Issued: 4

Total funds available: \$300,000.00

Funds were divided equally between counties submitting applications for reimbursement, or for amounts of request, whichever was less. Only 1st semester costs were reimbursed. The remaining \$150,000 of funding was used to pay WVDE invoices for court-ordered out-of-state placements.

County	1st Semester	2nd Semester N/A	Total
Berkeley	\$ 42,798.67		\$ 42,798.67
Hancock	\$ 21,604.00		\$ 21,604.00
Jefferson	\$ 42,798.67		\$ 42,798.67
Mineral	\$ 42,798.66		\$ 42,798.66
TOTAL	\$ 150,000.00	\$ -	\$ 150,000.00

Expenses Reported/Awards Granted

County	1st Semester (Expenses reported per student)	2nd Semester (Expenses reported per student)	Total Amount Requested		Total Reimburse- ment Received in Grant Awards	Balance Remaining Unfunded
			1st Sem	2nd Sem		
Berkeley	\$ 146,905.05					
Berkeley	\$ 141,861.93					
Berkeley	\$ 31,224.50					
Berkeley	\$ 37,432.38					
Berkeley	\$ 29,772.57					
Berkeley	\$ 264,350.00					
Berkeley	\$ 34,084.50					
Berkeley	\$ 30,020.00					
Berkeley	\$ 73,744.16					
Berkeley	\$ 29,569.44					
Berkeley	\$ 32,031.25					
Berkeley	\$ -		\$ 850,995.78	\$ -	\$ 42,798.67	\$ 808,197.11
Hancock	\$ 21,604.00		\$ 21,604.00	\$ -	\$ 21,604.00	\$ -
Jefferson	\$ 42,060.00					
Jefferson	\$ 41,800.00					
Jefferson	\$ 41,605.00					
Jefferson	\$ 42,060.00					
Jefferson	\$ 42,060.00					
Jefferson	\$ 41,117.50					
Jefferson	\$ 42,640.00					
Jefferson	\$ 41,215.00					
Jefferson	\$ 42,417.50					
Jefferson	\$ 42,027.50		\$ 419,002.50	\$ -	\$ 42,798.67	\$ 376,203.83
Mineral	\$ 36,102.15					\$ -
Mineral	\$ 36,102.15					
Mineral	\$ 36,102.15					
Mineral	\$ 36,102.15		\$ 144,408.60	\$ -	\$ 42,798.66	\$ 101,609.94
Totals	\$ 1,436,010.88	\$ -	\$ 1,436,010.88	\$ -	\$ 150,000.00	\$ 1,286,010.88

Summary

The number of West Virginia students with disabilities placed in out-of-state facilities by WVDHHR and the subsequent cost of services for those students continues to rise each year. FY21 saw one of the most dramatic increases in total cost year-to-year as the FY21 total was \$888,872.18 higher than the total cost in FY20. This 15.6% increase is due in part to inflation, the rising daily rates for special education services in the contracted out-of-state facilities, and an increasing number of placements being made by WVDHHR.

In addition to out-of-state placements by WVDHHR, some LEAs place students in out-of-state facilities through their IEP process. In this case, the IEP team has determined that the best educational setting for a particular student is in one of these out-of-state facilities. The WVDE typically makes available \$300,000 of state funding for this purpose through a reimbursement application process. However, due to the rising cost of court-ordered placements, only \$150,000 of this funding was available for LEA reimbursement in FY21 and was limited to 1st semester expenses only. The remaining \$150,000 had to be used to help cover the WVDE's cost for court-ordered placements in out-of-state facilities.

The burden of the rising cost of WVDHHR placing students in these out-of-state facilities is not only felt by the SEA, but more so by the LEAs. Based on out-of-state cost projections that are completed each year, LEAs must set aside a portion of that fiscal year's state aid for special education for this purpose. The cost of six LEAs in FY21 and seven LEAs in FY22 was higher than their state aid for special education allocation, and thus had to use local funding to make up the difference. For many of these LEAs, this occurs every year, through no fault of their own.

Without additional state funding, as costs continue to rise to serve these students with disabilities, the SEA and LEAs will have less and less discretion in how remaining funding, if any is available, will be spent.



Michele L. Blatt
West Virginia Superintendent of Schools