Public Act 18-183, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS CONCERNING PRIVATE PROVIDERS OF SPECIAL EDUCATION:

Public Act 18-183, requires that **there be a contract in place between LEAs and private providers of specialized instruction and/or related services.** Any agreement or any contract entered into or amended between a LEA and a private provider of special education services on or after July 1, 2019, (pursuant to section 10-76d, as amended by this act, and as defined in section 10-91g, as amended by this act), shall include:

- an explanation of how the tuition or costs for services provided under the agreement or contract are to be calculated, and

may include:

- a requirement that private providers of special education services submit monthly or quarterly service delivery logs*;
- a requirement that a review and reconciliation of reports described in the contract takes place; and/or
- that the LEA will conduct periodic site visits at the location where such services are provided.

As of July 1, 2019, an LEA will not be eligible for reimbursement pursuant to section 10-76g for any costs of special education services for the provision of special education services by a private provider unless the LEA has entered into a written contract with the private provider. **The IEP of a student shall not serve as a contract between the LEA and the private provider, though the services outlined in the IEP document should be reflected in the contract.** LEAs will attest to the contract requirement in SEDAC-G and make the contract(s) available to the department upon request.

P.A. 18-183 also requires that CSDE develop standards and a process for the documentation of the provision of special education services by a private provider and include a form that can be used to document the scope of and type of services the number of sessions or frequency of services provided on a weekly basis; the name of the student, name of service, date service was provided and the name and signature of the service providers. This information should align with the service delivery outlined in the IEP.

*As required in P.A. 18-183, the Department of Education has developed a form which may be used to document and verify the delivery of specialized instruction, support and services. This form contains all required fields including the scope of and type of services; the number of sessions or frequency of services provided on a weekly basis; the name of the student; name of service; date service was provided and the name and signature of the service providers. This information should align with the service delivery outlined in the IEP. Forms currently in use to provide verification of related services /supports to the LEA for Medicaid reimbursement submissions may be used by a private provider in addition to or in lieu of the SPECIALIZED SERVICE VERIFICATION form document.