



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

To: School Corporation Superintendents, Business Managers, and DEX Data Administrators

From: Office of School Finance and Office of Special Education

Date: March 10, 2023

Subject: Reporting Guidance for Education Scholarship Account (ESA) Students

This memorandum is intended to provide reporting guidance to school corporations that are providing special education services to or conducting evaluations on students who are participating in the Education Scholarship Account program.

Membership

School corporations should not submit Student Education Organization Association (EdOrg) records into Data Exchange for students who are only enrolled for special education or title services or are enrolled for special education evaluation purposes.

Students who are only enrolled for special education, title services, or for special education evaluation purposes should only have an enrollment record with the Primary School identified as “False.” Additionally, the student will need a Special Education Program Record.

Some examples of this are:

1. Students who are enrolled but receiving special education services only (includes walk-ins and enrollments in another school);
2. Students who are not enrolled but being referred and evaluated for special education services; and
3. Students who are homeschooled and receiving special education services from the public school corporation.

Students who have a Primary School record of “False” are not included in the school’s overall active enrollment and Pupil Enrollment.

Special Education

If the parent of a student with an ESA elects to receive services from the public school, the public school will have an active Special Education Program Record. The public school may count the student for special education funding.

If the parent of a student with an ESA elects to not receive services from the public school, the Special Education Program Record will be terminated:



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- If the student was previously receiving services from the public school, the Special Education Program Record should be terminated with the last known date that the school was providing services with termination code 16.
- If the student is enrolled for purposes of evaluation and the parent declines all services from the public school, the Special Education Program Record should reflect the dates and outcome of the initial evaluation, and the Program Name should be left as “Undefined.” No Termination record is required.

Eligibility

Eligibility for the ESA requires that a student have an Individualized Education Program (IEP), individualized service plan (ISP), or Choice Scholarship Education Plan (CSEP). That would mean that the student has been identified as eligible for special education and related services under Art. 7/Individuals with Disabilities Education Act (IDEA) and has a current plan in place for the provision of special education and related services. The student can use funds from the ESA, in part, to pay for services identified in the IEP, ISP, or CSEP. While that concept works for the initial year of eligibility for an ESA, after that first year, those plans would lapse and no longer be current. Therefore, the proposed rule for the development of the ESA education service plan uses the IEP as the basis for the plan, with additional language clarifying that:

- (1) Notwithstanding any other provision of the ESA service plan, the parent or emancipated eligible student is responsible for arranging for the provision of any of the special education and related services specified in the ESA service plan chosen for the student.
- (2) Notwithstanding any other provision of the ESA service plan, neither the school corporation of legal settlement (SCOLS) that convened the Case Conference Committee (CCC) to develop the ESA service plan or any other public agency is required to provide any of the services identified in the plan unless the parent or emancipated eligible student contracts with the SCOLS or public agency to provide specific services.
- (3) The parent or emancipated eligible student is responsible to arrange for payment for any contracted services.
- (4) The ESA service plan is valid for a period of time not to exceed three years, or the date the student’s reevaluation is due, whichever occurs first.
- (5) The parent or emancipated eligible student must request reevaluation from the SCOLS at least 6 months before the due date of the reevaluation.

Note: Language in the final rule may differ from the proposed rule and is subject to approval by the State Board of Education.



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Please review the [flowchart](#) as an additional resource for the ESA program.

If you have any questions about this memo or how to report ESA students, please contact [IDOE ESA](#). For questions concerning special education services, please email the [Office of Special Education](#).