

Office of Facility Schools Tuition Cost Rate System Revision 2024



History

State law has required school districts to pay tuition-related costs to facility schools since 1983. [H.B. \(House Bill\) 08-1204](#)

From 1983 to 2019, facility schools itemized certain costs and expenses for special education services and submitted these amounts to CDE for approval using a manual process. Once rates were established, they required approval from the Colorado State Board of Education (SBE). Facility schools then used the SBE-approved rates to bill districts for the services. Aside from being able to electronically submit tuition cost expenses beginning in 2020, the data expense reporting process has virtually stayed the same for over 40 years.

In 2023, the Colorado legislature enacted S.B. 23-219, which required CDE's Office of Facility Schools to assemble stakeholders and workgroup members "to analyze and recommend changes to the methods used for calculating tuition costs for approved facility schools." The group convened in July 2023 to review the current tuition cost process and recommend changes. CDE brought the recommended changes to the State Board of Education in early 2024, and the State Board of Education amended the ECEA rules to implement the changes. The following information summarizes the new system for facility school tuition costs.

Overview of the New System and Its Development

The work group and stakeholders met to examine the strengths and weaknesses of the existing tuition cost process and ultimately proposed a new tiered system for tuition costs. Under the new system, CDE will establish categories of facility schools for tuition cost purposes and set a tuition cost rate for each category. The categories will be based on the needs of the students served and the educational programming offered by each school. The rate for each category will be based primarily on special education staff salaries, special education staff employment benefits, and additional expenses for special education, such as professional development, assessments, and specialized equipment. Additional education costs, individualized add-on costs, and day treatment fees, as defined below, are not included in the tuition cost rate.

The new system was implemented during the 2024-25 school year. Tuition cost rates begin each year on August 1st and will end on July 31st. CDE has established three categories of facility schools and set a tuition cost rate for each category. These tuition cost rates are primarily based on previous tuition cost expenses. The new "Rules for the Administration of the Exceptional Children's Educational Act" ("ECEA rules") on tuition costs continue to require facility schools to annually submit actual costs to CDE for CDE's consideration when establishing tuition cost rates. CDE may adjust the tuition cost rates as appropriate.

New Terminology

Tuition Cost Rate: The tuition cost rate is intended to cover expenses to provide special education support and services to students in a facility school, over and above the general education costs. These rates include the salaries and benefits of instructional and support staff, equipment, supplies and materials, purchased services, professional development, including staff travel, transportation, and other costs, which can include student outings, admission fees, etc.

Additional Education Costs: Additional education costs are expenses that are not included in the tuition cost rate but are services and support necessary for the general administration of the facility school. This may include administration and business services, building occupancy, property destruction, janitorial services, and non-instructional equipment, supplies, and materials. The ECEA rules refer to these additional education costs as “indirect costs.” CDE will annually determine the percentage of each facility school’s baseline funding amount that must be applied towards these costs. CDE has assigned the additional education cost amount to be no more than fifteen percent of each category’s assigned tuition cost rate.

Individualized Add-on Costs: Additional special education supports and services are based on individual student needs. The facility school and school district negotiate and agree upon these costs.

Day Treatment Fee: Treatment program costs are not part of the tuition cost rate and are agreed upon on an individual student basis between the facility school and the school district.

New Tiered Tuition Cost Rate System

The new tuition cost rate system will consist of three categories, with schools serving students with the lowest level of needs in category one and the most intensive student needs in category three. Most facility schools fit into one designated funding category. However, some facility schools may qualify for more than one category based on different levels of programming within the agency. As the tuition cost rate categories progress from one to three, there is an increased need for additional staff to meet more intensive student needs.

Tuition Cost Rate Category 1 facility schools are those that serve students who primarily have serious emotional disabilities and behavioral and mental health issues. These students often have experienced trauma, as well as other issues, including offense-specific behaviors, substance abuse, or criminogenic behaviors. Their program can include mental health services and family, group, and individual therapy. Some students at schools in this category may require individualized add-on services such as speech-language therapy, occupational therapy, or dedicated adult support. These add-on services are special education services needed for an individual student as identified on the student's IEP and aren't included in the tuition cost rate.

Currently, the following facility schools are listed in Tuition Cost Rate Category 1 with a tuition cost rate of **\$148.00/day**.

- Bansbach Academy - Denver Children's Home
- Community Reach Center
- Hilltop Balanced Rock Community School
- J. Wilkins Opportunity School - Griffith Center
- Joan Farley Academy - Third Way Center
- Joan Farley Academy Lowry - Third Way Center
- Mount Saint Vincent
- North Greeley Academy - Alternative Homes for Youth
- Phoenix Academy - Southern Peaks (day treatment)
- PRN for Families
- Rocky Mountain Leadership School
- Shiloh House-Family Resource Pavilion
- Shiloh House-Littleton Campus
- Shiloh House-Longmont Campus
- Skyline Academy
- Southgate School - Cedar Springs (residential)
- Tennyson Center for Children

Tuition Cost Rate Category 2 facility schools are those that serve students who have one or more disabilities, such as serious emotional disability, autism spectrum disorders, intellectual disability, or other behavioral or mental health challenges. These students may have also had a history of trauma. Some of the students attending these schools utilize the Colorado Academic Standards, while others are working towards the Extended Evidence Outcomes. Less than 80% of these students require dedicated adult support. Their programs might include family, group,

and individual therapy, Applied Behavioral Analysis, Independent Living and Transition Skills, mental health services, and a lower student-to-staff ratio than programs in Category 1. Some students at schools in this category may require individualized add-on services such as speech-language therapy, occupational therapy, or dedicated adult support. These add-on services are special education services needed for an individual student as identified on the student's IEP and aren't included in the tuition cost rate.

Currently, the following facility schools are listed in tuition cost rate Category 2 with a tuition cost rate of **\$215.00/day.**

- Austin Center for Exceptional Students (Exceptional Program)
- Bansbach Academy LIFE - Denver Children's Home
- Phoenix Academy - Southern Peaks (Residential)
- Rite of Passage Morrison Home (ROP)
- Shiloh Family Resource Pavilion (ASD classroom)
- TACT
- Tennyson Center for Children (ASPEN)

Tuition Cost Rate Category 3 facility schools are those that serve students who have intellectual and developmental disabilities, autism spectrum disorders, and other disabilities that require support in functional communication and behavior intervention. These students may have also had a history of trauma. Students in these facility schools often require significant support needs programming and lower staff-to-student ratios due to the high intensity of needs and behaviors. 80-100% of these students require dedicated adult support. The majority of students in these programs are working toward the Extended Evidence Outcomes. The programs might include therapy, augmentative and alternative communication devices, Independent Living, and Transition Skills Applied Behavior Analysis, mental health services, and a lower student-to-staff ratio. In this category, speech-language and occupational therapy are included in the daily rate. Other individualized add-on services may include dedicated adult support, art therapy, music therapy, equine therapy, etc., which will be included in each student's contract. These add-on services are special education services needed for an individual student as identified on the student's IEP and aren't included in the tuition cost rate.

Currently, the following facility schools are listed in tuition cost rate Category 3 with a tuition cost rate of **\$307.00/day.**

- Austin Center for Exceptional Students (Rising Stars)
- Elevation Ability Services
- Havern Autism Program
- Joshua School Boulder
- Joshua School Early Childhood Center
- Joshua School Englewood
- Laradon
- Learning Zone – Real Life Colorado
- Roundup Fellowship School
- Serenity Education
- Spectra Centers, Inc.

Benefits of the New Process

The previous tuition cost system lacked transparency and was very complicated. It involved a multi-step process that began in the summer and required individual data submissions at multiple intervals. Per the tuition cost staff-to-student ratio, only a portion of the staff serving students with disabilities could be entered into the tuition cost application. Therefore, it did not accurately represent the actual staff salary and benefits. If a facility school was unable to hire a special education teacher before the deadline, they were essentially penalized and unable to add staff later. In addition, the final tuition cost rates were often not approved by the State Board of Education until November, requiring facility schools and districts to either pay back or bill each other for the costs from August, September, and October. Lastly, new programs that applied to become a facility school could not apply for a tuition cost rate until July each year.

The new tuition cost system will:

1. Provide more consistent base rates among facility schools.
2. Eliminate the time and effort involved in re-billing or back-billing for new rates.
3. Decrease the time required for an application process for facility schools.
4. Allow facility schools ample time to hire qualified special education staff.
5. Enable newly approved facility schools to apply for a tuition cost rate at any time during the year.
6. Provide more transparency in services and billing between facility schools and school districts.
7. Provide districts with a more consistent understanding of total costs.

Annual Review of Rate Increase

Tuition cost rate increases will be based on the CDE's analysis of the CPI and projected Colorado state budgets for the next fiscal year. The CPI is typically set in January. CDE's Chief Financial Officer will use the CPI and anticipated state budgets to set projected tuition cost rate increases in April. The final decision on increases is made in May when the long-term budget bill passes. The State Board of Education annually reviews the tuition cost rates for formal tuition cost rate approval which will occur in June or July.

Tuition Cost Category Rubric

Criteria	Category 1	Category 2	Category 3
Students	Some students have an IEP	Most students have an IEP	All students have an IEP
Focus of program	The primary challenges of students are emotional, behavioral, mental health, or medical	Many students may have more than one disability, including autism spectrum disorders and/or cognitive impairments	Most of the students have more than one disability, including autism spectrum disorders and/or cognitive impairments, and/or use AAC devices
Special Services	Speech/OT are provided by contracted therapists or school district personnel	Speech/OT may be provided by contracted therapists or school district personnel or may be provided by agency	Speech/OT are provided by agency-paid therapists or agency-paid contracted therapists
Dedicated adult support	Very few students require dedicated adult support	Less than 80% of students required dedicated adult support	80-100% of students require dedicated adult support
Student to classroom staff ratio	Student to classroom staff ratios are equal or greater than 8 students to 1 adult	Student to classroom staff ratios are 6 students to 1 adult.	Student to classroom staff ratios are typically less than 6 students to one adult.
Day treatment/residential only (does not include specialized day schools)	The program offers individual and family therapy, affective education, and trauma-informed care	The program may offer individual, group therapy, and affective education trauma-informed care	The program offers a therapeutic milieu, affective education, and trauma-informed care
Standards/Instructional Support	All students utilize the Colorado academic standards. All students in grades 3-11 take the Colorado Measures of Academic Success (CMAS), PSAT, and SAT	Students utilize either the CO State Standards or the Extended Evidence Outcomes. In grades 3-11, take the Colorado Measures of Academic Success, PSAT and SAT or the Colorado Alternate Assessment (CoALT)	The majority of students utilize the Extended Evidence Outcomes; most students take the Colorado Alternative State Assessment (CoALT)

Tuition Cost Breakdown:

This information must be included on the front page of the agreement between facility schools and school districts.

	Tuition Cost Breakdown	
Student Name:		Notes:
DOB:		
School District:		
Tuition Cost Category:		
Tuition Cost Rate:		
Additional Education Costs:		
Individualized Add-On Costs:		
Day Treatment Costs:		
Total Cost:		
The facility school will provide:		
<i>Service</i>	<i>Cost</i>	<i>Notes</i>
Speech Language Therapy		
Occupational Therapy		
BCBA		
Additional Adult Support		
Other _____		
Total for all facility provided services:		
The school district will provide:		
<i>Service</i>	<i>Cost</i>	<i>Notes</i>
Speech Language Therapy		
Occupational Therapy		
Transportation		
Translation Services		
Other _____		
Total for all district provided services:		

Sample Wording for Agreements between Facility Schools and School Districts

This contract is between **(School District of Jurisdiction)**, hereafter referred to as hereafter referred to as the District

AND

(Provider District/Facility) hereafter referred to as Provider to **(Student Name, DOB)** who resides at **(Address of student)** and attends school at **(Name and address of facility)**.

(School district of jurisdiction) is responsible under state and federal law for providing Special Education and related services to all identified children with disabilities who are residents of the District. Colorado Revised Statutes 22-20-107.5 (1981 cum. supp) defines residence to be within the district based on the residence of the child's parent/guardian. See the [Out of District Manual](#) (OOD Manual) regarding school district jurisdiction rules.

(Parent/Guardian Name and Address)

The District's local board of Education is empowered and charged to enter into agreements as needed with other public schools and/or other providers for the purpose of providing education services to children with disabilities.

The term of this contract is between **(admit date)** and **(end of the school year)**, and it is not to exceed the maximum number of school days approved by the Colorado Department of Education (CDE). Either party may terminate this contract with 30 days' notice upon mutual agreement or when the student is discharged from the program.

THE PROVIDER ASSURES AND PROVIDES:

- The District will be sent prior written request for IEP reviews, annual reviews, and meetings to determine ESY eligibility and transition services.
- Copies of current IEPs and reports/assessments will be sent to the District within 30 days of the IEP date.
- Billings for educational services will be sent to the District monthly based on enrollment and will include the Colorado Department of Education's approved base tuition rate.
- Final billing for contracts covering the regular school year will be mailed prior to **(date)**
- Any amendments to this agreement shall be in writing.
- A policy or policies of comprehensive general liability insurance acceptable to the District is/are in place at the provider's expense. Limits of liability are not less than **(\$150,000)** per person and **(\$600,000)** per occurrence. Proof of such insurance will be provided to the District upon request.
- The educational program meets the requirements of all applicable federal and state statutes and regulations.
- Policies and procedures are in place regarding procedural safeguards, confidentiality, non-discrimination, and due process, which are in accordance with all applicable federal and state statutes and regulations pertaining to the education of children with disabilities, anti-discrimination, and protection of family privacy rights.
- State and federal reporting information will be provided to the District on request.
- In the event the provider wishes to initiate a change in educational programming or placement, the provider will notify the appropriate agencies and the school district involved.

THE DISTRICT ASSURES AND PROVIDES

- Services will be paid within 30 days of invoice at the rates detailed above.
- **(Name, address, phone, email)** will serve as the District contact person, coordinate all payment processing or information requests regarding the child or this agreement, and assure compliance with all applicable federal and state regulations.
- The District will send copies of current IEPs and assessments to the provider within 30 days of receipt of the request.
- If the District places the students, the District shall provide transportation services or any services as determined by the IEP, including payment, scheduling, and providing proper supervision during the transportation of any student.

Declarations:

- Reevaluation meetings will be scheduled collaboratively by the District and the Provider.
- If a District representative cannot attend, he/she may request the IEP team meeting be rescheduled at a mutually agreeable time or delegate district representation to a member of the IEP team, and the District will abide by the decision.
- A draft copy of the IEP will be sent to the District for agreement.
- This agreement is not transferable, and the responsibilities of the school provider may not be reassigned without prior written consent of the District.
- In the event that the student's whereabouts are unknown for five (5) consecutive days, and the placement has been terminated, the provider will notify the District contact person, and this agreement will be temporarily suspended, including charges for tuition costs.

Agreement Regarding Dispute Resolution

In the event of any dispute or claim arising under or related to this agreement regarding the placement, manner of placement, or any costs accruing to either, the District and the Provider shall use their best efforts to settle such dispute or claim through good faith negotiations with each other. If the dispute or claim cannot be settled, the parties agree that the Commissioner of Education or the Commissioner's designee shall have the authority to review all such disputes and make a final written determination. The parties further agree that any such dispute shall not interfere with the provision of appropriate educational and educationally related services prior to the settlement of the dispute.

Authorized Signatures

School Provider

<u>Signature</u>	<u>Title</u>	<u>Date</u>
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District of Jurisdiction

<u>Signature</u>	<u>Title</u>	<u>Date</u>
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Tuition Cost Annual Financial Report

This is a screen shot of the cover page and instructions for the Tuition Cost Annual Financial Report. A fillable document will be sent via secure email in July and will be due on October 31 of each year.

Facility School Tuition Cost End-of-Year Report	
FY2024-2025	
Agency Name:	
Name of Facility School:	
School Code:	#N/A
End-of-Year submission:	Annual Financial Report (AFR)
Date:	
Date of review (to be completed by CDE)	
Name of person completing this report	
Name:	
Phone No.:	
E-mail:	
Name of person to be contacted regarding report questions	
Name:	
Phone No.:	
E-mail:	
CDE Program Staff Contact:	
Name:	Lori Kochevar
Email:	Kochevar_l@cde.state.co.us
Phone:	720-557-0618
Tuition cost rate category(s)	
PLEASE NOTE: This report is due no later than October 31 of each year.	

Cover page			
			Please enter the agency name, school name, school code, contact information, enter the category (or categories).
Expenses sheet			
			2 categories with associated expenses and codes, Instructional/Support and Administrative/Business/Operational - Chose from the drop-down menu for each and add descriptions and notes as needed - Be specific that the instructional/support expenses are for special education only - If your site serves 100% special education students please note that in the description column for clarity in amounts reported - you may also use the Narrative tab for additional information and explanation if necessary.
Summary sheet			
			Ensure all info from expenses sheet totals in the summary appropriately. Information entered in the Expenses tab will transfer to the summary tab - no data entry needed on this sheet.
Narrative sheet			
			Please provide any additional explanation necessary for expenses - especially those under the Administrative/Business/Operational category in relation to the #/% special education population and additional costs charged to school districts in contracts.
Accounting Codes Guidance			
0100	Salaries	Instructional and Administrative	INSTRUCTIONAL - Amounts paid for personal services to both permanent and temporary school employees, including personnel substituting for those in permanent positions. Includes all Special Education Teachers, Speech-Language Pathologists, Para professionals, Library, School Nurse, OT, PT, School Psychologists, School Social Workers, Education Directors, Education Coordinators, BCBA's, IEP Coordinators, other school specific instructional/support staff. ADMINISTRATIVE - Amounts paid for personal services to both permanent and temporary facility employees. Includes K-12 Teachers not licensed in special education, personnel substitutes in these positions, school registrar, CEO, CFO, Office secretary, etc. ***Enter a pro-rated salary amounts for those staff shared across sites.
0200	Employee Benefits	Instructional and Administrative	Amounts paid by the facility on behalf of employees; generally, these amounts are not included in the salary, but are in addition to that amount. Such payments are fringe benefit payments and, while not paid directly to employees, never-the-less, are part of the cost of personal services. ***Enter a pro-rated benefit amounts for those staff shared across sites.
0300	Purchased Professional Services	Instructional	Educational services which by their nature can be performed only by persons or firms with specialized skills and knowledge. While a product may or may not result from the transaction, the primary reason for the purchase is the service provided. Included are the services of teachers, OT/PT, BCBA, school psychologists, school social workers, school nurses, audiologists, and other positions with direct student contact.
0330	Other Professional Services	Administrative	Professional services other than educational supporting the operation of the school and facility. Included are auditors, accountants, etc. that are not permanent staff members of the facility/agency.
0423	Custodial Services	Administrative	Expenditures to an outside contractor for custodial services.
0430	Repairs and Maintenance Services	Administrative	Expenditures for repairs and maintenance services not provided directly by facility personnel. These include contracts and agreements covering the upkeep of buildings and equipment.
0431	Non-technology Related Repairs and Maintenance	Administrative	Contracts and agreements covering the upkeep of buildings and non-technology equipment.
0510	Student Transportation Services	Instructional	Expenditures for transporting students to and from school and other activities.

Tuition Cost Rate Review Process

Tuition cost rates will be reviewed annually and may be adjusted based on the Consumer Price Index (CPI). The State Board of Education will approve the final rates.

Categorization Process

Facility schools may apply to the Office of Facility Schools to reconsider their tuition cost category. This decision will be based on the Tuition Cost Category Rubric. Any significant programming changes may constitute a review of the rubric and possible recategorization.

For further information, please contact:

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