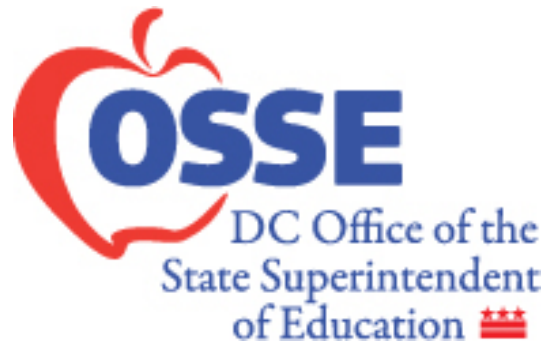


The 411 on IDEA, Part B Grants

An Overview of Eligibility Requirements, LEA Set-Asides, Fiscal Requirements and Allowable Uses of Funds

OSSE Training Session with LEAs
August 31-September 3, 2009



Welcome and Introductions

- Facilitator
 - Charity Hallman, DSE Financial Policy Manager, OSSE

- DSE Finance Team
 - Kieran Bowen, Grant Program Analyst
 - Ethan Lin, Financial Program Analyst

- Quick Polls

Purpose of Presentation

Today we will be discussing IDEA Part B grants. We will provide an overview of the below elements:

1. Purpose of IDEA
2. Part B Eligibility
3. LEA Set-Asides
4. IDEA, Part B Fiscal Requirements
5. Allowable uses of IDEA, Part B funds

Purpose of IDEA

What is the purpose of IDEA?

The primary purpose of IDEA is to ensure that students with disabilities:

- Have available to them a Free Appropriate Public Education (FAPE) that emphasizes special education and related services designed **to meet their unique needs and prepare them for further education, employment, and independent living;**
- Ensure that the rights of students with disabilities and their parents are protected;
- Assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities;

What is the purpose of IDEA? (cont.)

- Ensure that educators and parents have the necessary tools to improve the educational results for students with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
- Assess and ensure the effectiveness of efforts to educate children with disabilities.

IDEA Grant Programs

- **Part B – Assistance for Education of All Children with Disabilities**
 - Grants to States program, Section 611
 - Preschool Grants, Section 619

(Both programs focus on serving 3 to 21 year olds)
- **Part C – Infants and Toddlers with Disabilities**

(Focuses on serving birth to 3 year olds)

Purpose of IDEA, Part B

- The primary purpose of the IDEA Part B **funding** is to provide assistance to States and LEAs in carrying out their responsibilities to educate students with disabilities.
- The primary vehicle for achieving this purpose is the Grants to States program authorized under Part B, section 611 of the Act.
- The Preschool Grant program is a supplemental grant to States and LEAs.
- IDEA grant funds are provided **annually** to States and LEAs

FFY 2009 (FY10)

Annual and ARRA Allocations

- Total Part B Awards for DC is \$33.9M
 - Total ARRA allocation = \$16.7M
 - Total Regular allocation = \$17.2M
- This is almost 100% increase in DC's IDEA funds from the FFY 2008 (FY09) allocation!

	611	619	Total
IDEA-B Grant	\$16,979,449	\$240,249	\$17,219,698
One-Time ARRA Funds	\$16,441,924	\$260,486	\$16,702,410
Total	\$33,421,373	\$500,735	\$33,922,108

Part B Eligibility

Who is eligible to receive IDEA, Part B grant funds?

- State Education Agencies (SEA)
- Local Education Agencies (LEA) as described under 34 CFR § 300.28 (a)
 - Public Charter Schools that elect DCPS as their LEA for special education purposes cannot receive IDEA grant funds directly.
- Educational Service Agencies & Other Public Institutions or Agencies as described under 34 CFR § 300.23 (b)
- Designated public charter schools as described under 34 CFR § 300.209(d)

SEA Eligibility Process & Requirements

- Each fiscal year, the OSSE must submit a plan to the Federal Office of Special Education Programs (OSEP) to establish eligibility for its Part B funds.
- The plan requires the OSSE to make assurances to ED, stating that we will meet both the fiscal and programmatic requirements outlined in IDEA, EDGAR, GEPA, and applicable OMB circulars.
- This plan also requires the OSSE to submit a budget for its portion of DC's IDEA grant funds.

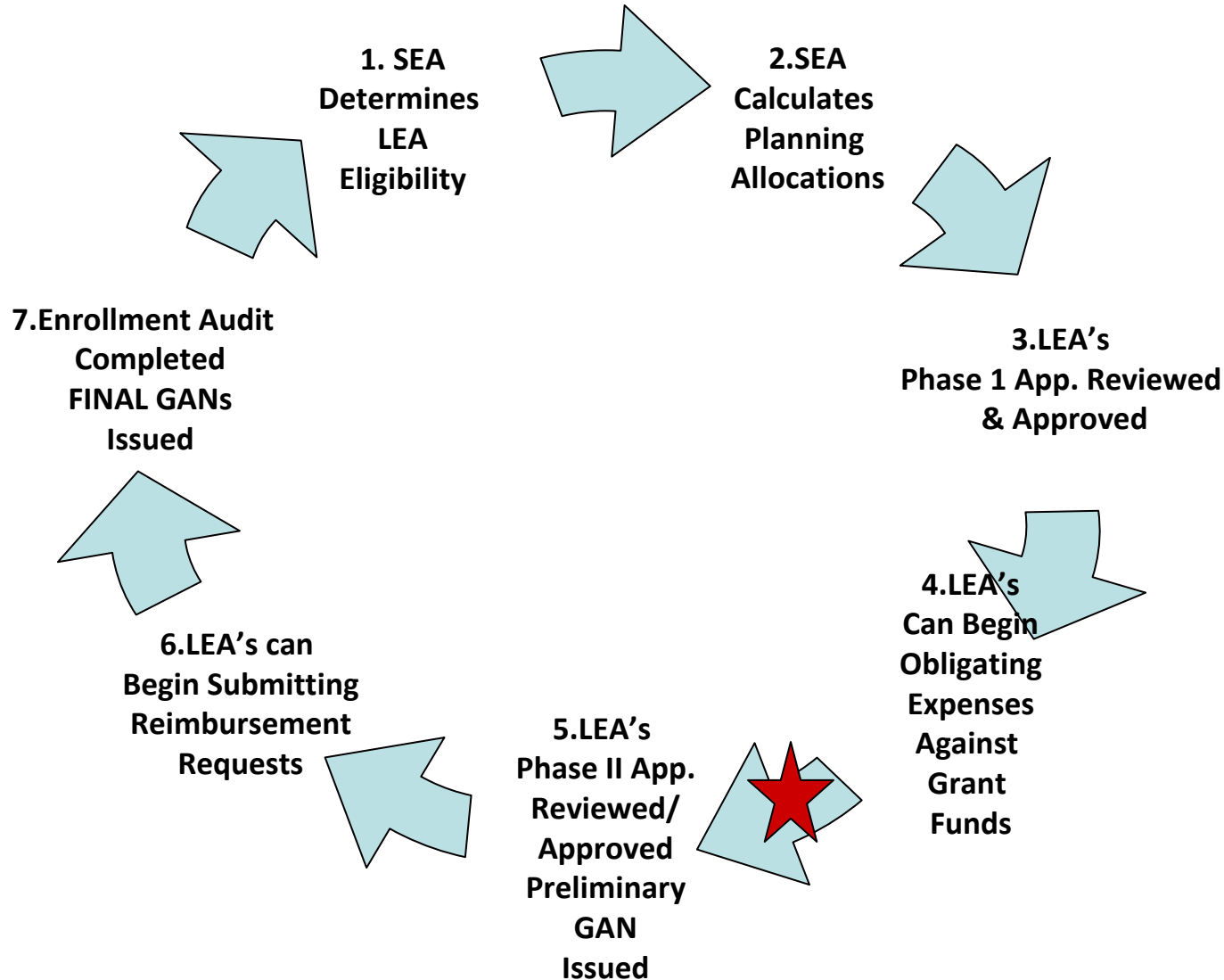
LEA Eligibility Process & Requirements

- Each fiscal year, LEAs must submit a plan to the OSSE to establish eligibility for Part B funds.
 - Phase I & Phase II Application
- The Phase I Application requires the LEA to make assurances to the OSSE, stating that it will meet both the fiscal and programmatic requirements outlined in IDEA, EDGAR, GEPA, and applicable OMB circulars.

LEA Eligibility Process & Requirements

- The Phase II Application requires the LEA to complete
 - Programmatic questions linked to our Special Conditions;
 - Programmatic spending plans;
 - Budgets; and
 - Other fiscal assurances, as needed.

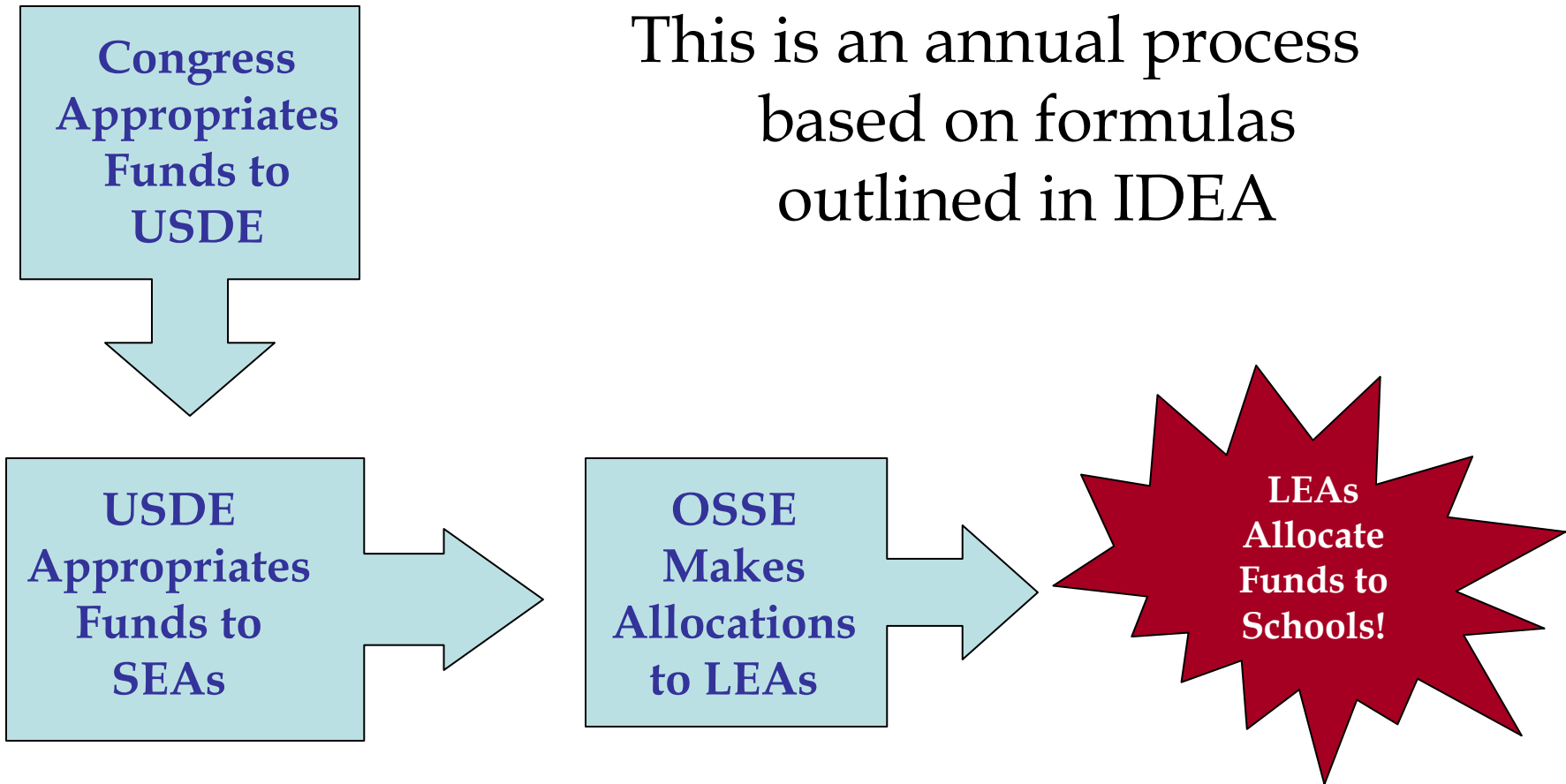
IDEA Grant Cycle



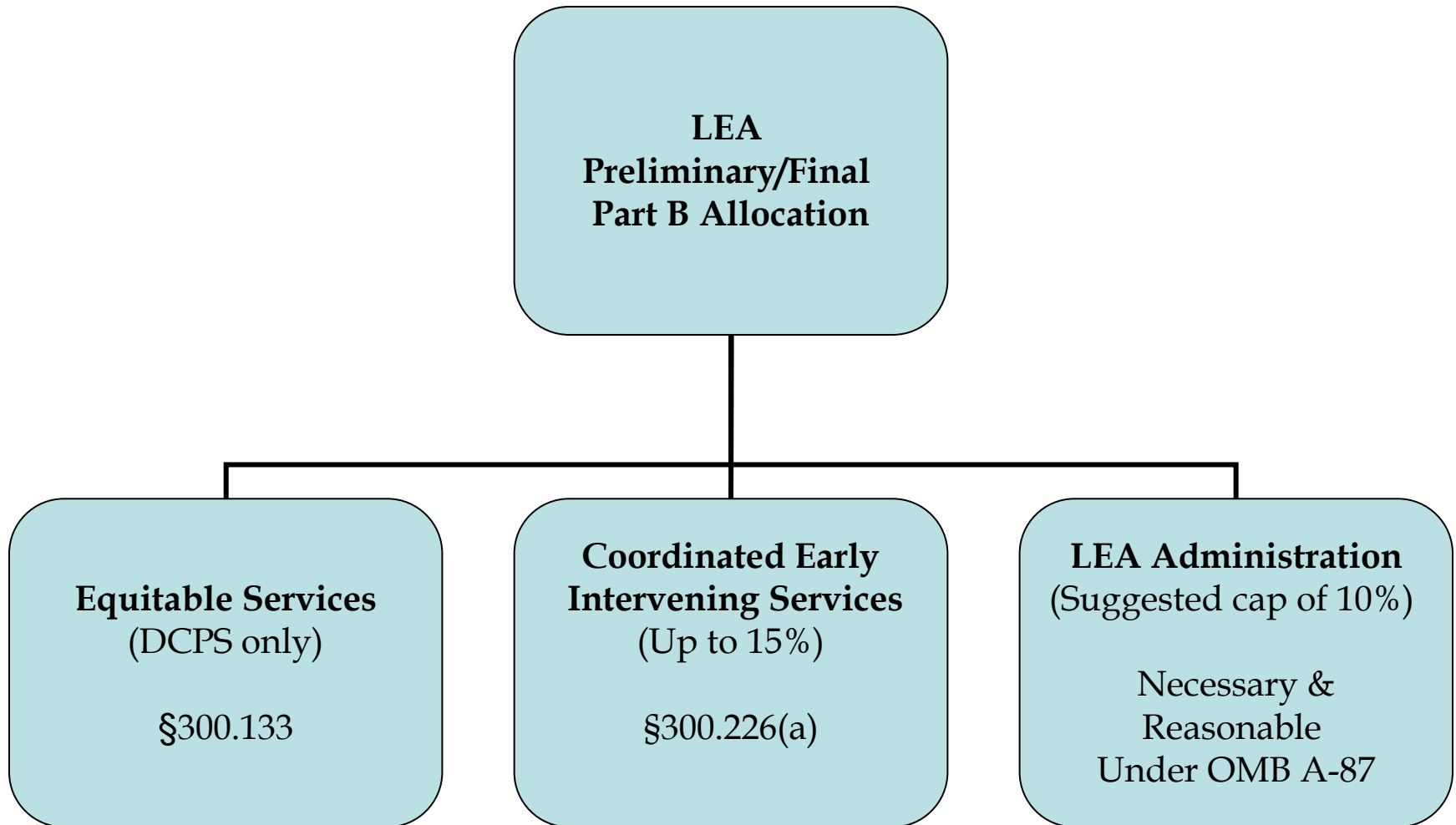
LEA Set-Asides

How Grant Funds Flow to You!

This is an annual process
based on formulas
outlined in IDEA



LEA Set-Asides



Equitable Services (DCPS only)

Equitable Services (DCPS Only)

- IDEA includes language requiring SEAs and LEAs to ensure the equitable participation of parentally-placed children with disabilities in programs assisted by or carried out under the equitable participation requirements that apply to them.
- The LEA's obligations to parentally placed private school children with disabilities are different from its responsibilities to those enrolled in public schools or to children with disabilities placed in a private school by a public agency (rather than by parents) as a means of providing FAPE.

Equitable Services (DCPS Only)

- IDEA outlines a variety of programmatic and fiscal requirements regarding Equitable Services.
- One of these components is the requirement that LEAs expend a proportionate share of federal *IDEA* funds on equitable services for parentally placed private school children with disabilities.
- In DC, DCPS is the only LEA with a physical jurisdiction, therefore this provision of IDEA only applies to them.

Coordinated Early Intervening Services (CEIS)

Purpose Of CEIS Funds

CEIS are services for students in **kindergarten through grade 12** only, with a particular emphasis on students in kindergarten through grade 3, who are:

- Not currently identified as needing special education and related services, but who
- Need additional academic and behavioral support to succeed in a general education environment.

Allowable Uses of CEIS Funds

- Professional development for teachers and other school staff to enable them to deliver scientifically based academic instruction and behavioral interventions, and, where appropriate, instruction on the use of adaptive and instructional software; and
- Provision of educational and behavioral assessments, services, and supports, including scientifically based literacy instruction.
- However, funds may not be used for evaluations that are intended for use in determining eligibility for special education and related services.

When are LEAs REQUIRED to allocate Part B funds to CEIS?

LEAs are required to allocate 15% of their **total** Part B funds for CEIS if they are identified by the OSSE as having “**significant disproportionality**” in regards to the identification of students as students with disabilities and/or the placement of students in a particular educational setting under 34 CFR§ 300.646.

[**Total** = Annual 611 & 619 grants + ARRA 611 & 619 grants]

Voluntary Allocation of Part B funds for CEIS

- Can an LEA **voluntarily** allocate Part B funds for CEIS?
 - **Yes**
- How much can an LEA allocate?
 - **Up to 15 percent of the *total* of its Part B grant funds.**

[Total = Annual 611 & 619 grants + ARRA 611 & 619 grants]

CEIS Reporting Requirements

LEAs must be able to provide the following data to the OSSE annually:

1. The number of students served who received early intervening services; and
2. The number of students served through CEIS, who subsequently receive special education and related services under IDEA during the preceding 2-year period

CEIS Fiscal Reporting Requirements

- LEAs must track their CEIS expenditures separately from its other Part B grant expenditures.
- CEIS expenditures, like Part B expenditures, must be tracked by the grant year in which the funds were initially budgeted. Additionally, these funds must be obligated and liquated within the grant cycle that the funds were originally budgeted.
- However, an LEA that voluntarily allocates its Part B funds for CEIS activities may submit a request to the OSSE to reduce its original CEIS budget if it has not expended all of its CEIS funds.

Coordinated Early Intervening Services

Fiscal and programmatic CEIS reporting requirements apply to any LEA that has allocated Part B funds - even if the LEA has made this allocation on a voluntarily basis.

IDEA, Part B

Fiscal Requirements

The “idea” behind IDEA Part-B Grant Funds

As discussed previously, the Part B grant programs are designed to provide financial **assistance** to states and LEAs to support their efforts in ensuring that all students with disabilities receive a Free Appropriate Public Education (FAPE).

What do they mean by *Assistance*?

Part B grant funds must only be used to:

- Pay for the excess cost of providing special education and related services to children with disabilities and
- Supplement State, local, and other Federal funds and not to supplant those funds.

(34 CFR Section 300.202)

In other words,

- IDEA, Part B funds must pay for *extra* items that would not normally be paid for with local funds.
- IDEA, Part B contains three rules designed to ensure federal funds are used to provide services that are in addition to the regular services normally provided by the LEA for participating children:
 1. Maintenance of Effort (MOE);
 2. Supplement not supplant; and
 3. Excess Cost (EC).

Maintenance of Effort (MOE)

- To ensure that states and LEAs do not use Part B funds to supplant state and local funds, IDEA requires each to maintain their level of spending on the provision of special education and related services.
- The MOE requirement ensures that states and LEAs remain fiscally dedicated to educating students with disabilities from year to year.
- LEAs must maintain a consistent level, or 100%, of state and local spending for the education of students with disabilities from year-to-year.
- IDEA MOE 100% year-to-year requirement differs from Title I MOE, which only requires LEAs to maintain a level of 90% from year-to-year.

Supplement Not Supplant

- Generally, the “supplement, not supplant” provision means that IDEA, Part B funds must be used only to provide additional services, staff, programs, or materials that could not be provided by the LEA absent the IDEA funds.
- According to recent guidance issued by the U.S. Department of Education an LEA will meet the supplement not supplant requirement if it meets MOE.
 - This guidance is available in Q&A C-6 of the IDEA ARRA guidance, available at:
<http://www.ed.gov/policy/gen/leg/recovery/guidance/idea-b.pdf>

Excess Cost

- The goal of IDEA, Part B funding is to pay for the *extra* cost associated with educating students with disabilities.
- Thus, LEAs are required to determine how much it costs to educate a child regardless of disability status, and must pay for those baseline costs with state, local or other federal funds.
- IDEA, Part B funds may only be spent on costs over and above this baseline.

Allowable Uses of Part B Funds

Allowability under IDEA

LEAs must ensure that all costs charged to their annual IDEA, Part B allocations and their IDEA ARRA allocations are consistent with the purposes of IDEA, Part B:

- To ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living;
- To ensure that the rights of students with disabilities and their parents are protected;
- To assist LEAs to provide for the education of all students with disabilities; and
- To assess and ensure the effectiveness of efforts to educate students with disabilities.

A Few Common and Allowable Uses:

- Child find activities
- Employment of special education teachers who work with students with IEPs
- Purchase of educational supplies, materials, curriculum, and software directly involved with implementing IEPs for students with IEPs
- Employment of related service providers who work with students with IEPs

A Few Common and Allowable Uses:

- Contracting for additional related service personnel to directly support students with IEPs
- Purchase of educational supplies, materials, software, technology and curriculum supporting services and devices for students with IEPs

Questions to Ask Yourself?

- What are my LEA's needs regarding special education?
- What are our academic objectives this year?
- Does your grant spending plan(s) supplement how you plan to spend your state and local funds on special education?
- Are these proposed costs:
 - Allowable under IDEA?
 - Consistent with IDEA fiscal rules?
 - Consistent with federal costs principles?

Summary of Key Fiscal Elements

Elements of IDEA that Pertain to the Management of your Part B Grant Funds

- **Equitable Services**
- **Coordinated Early Intervening Services**
- **IDEA, EDGAR, GEPA, OMB Circulars, Guidance**

Elements of IDEA that Pertain to the Management of your State and local Funds

- **Maintenance of Effort**
- **Supplement not Supplant**
- **Excess Costs**

Where to Find Out More!

IDEA Statue and Regulations:

<http://idea.ed.gov/explore/view/p/%2Croot%2Cregs%2C300%2CC%2C>

ARRA Information:

- ARRA Part B Guidance and Updates
 - <http://www.ed.gov/policy/gen/leg/recovery/programs.html>
- US Education Recovery Website
 - www.ed.gov/recovery
- Federal Recovery Website
 - www.recovery.gov
- OSSE Website
 - <http://www.seo.dc.gov/seo/site/default.asp>

OMB Circular A-87 is available at:

http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html

Education Department General Administrative Regulations (EDGAR) is available at:

<http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

Department of Special Education Finance Team

- Charity Hallman - charity.hallman@dc.gov
 - 202-741-0477
- Kieran Bowen - kieran.bowen@dc.gov
 - 202-481-3938
- Ethan Lin - ethan.lin@dc.gov
 - 202-741-0272
- Official DSE Finance e-mail address
 - OSSE.DSE-PartBFinance@dc.gov

