



# Individuals with Disabilities Education Act of 2004 (IDEA), Part B

2022-23 Federal Programs Back to School Module



# Funds Awarded

- Total Funding Amounts – amounts reserved for aid to districts per the approved RFA and the draft revised RFA.
  - K-12 (611) Entitlement: \$679,103,529.00
  - Preschool (619) Entitlement: \$16,223,825.00
- Final allocations are determined around December during roll forward amendment process.

# Uses of Funds

**IDEA funds may be used to pay the excess costs of special education and related services for students with disabilities (SWD). It is intended to supplement state, local and other federal funds.**

## Common Allowable Uses

- Personnel providing direct services to SWD
- Personnel providing support to IDEA program
- Materials, furniture, technology, software, and adaptive devices used by and for SWD
- IDEA related professional development

## Unallowable Uses

- School or local educational agency (LEA) level administration
- Use of funds for school-wide or LEA initiatives or functions
- Attorney fees and any other legal expenses in defense and prosecution of criminal and civil proceedings

# Excess Cost - Guiding Questions

- In the absence of special education needs, would this cost exist?

*If the answer is*

**NO**—then the cost is an excess cost and may be eligible.

**YES**—then the cost is NOT an excess cost and is NOT allowed.

- Is this cost also generated by non-disabled students?

*If the answer is*

**NO**—then the cost is an excess cost and may be eligible.

**YES**—then the cost is NOT an excess cost and is NOT allowed.

- If it is a child specific service, is the service documented in the student's IEP?

*If the answer is*

**YES**—then the cost is an excess cost and may be eligible.

**NO**—then the cost is NOT an excess cost and is not allowed.

# What are Coordinated Early Intervening Services?

- [34 CFR § 300.226](#) – Early Intervening Services
  - Coordinated Early Intervening Services (CEIS) are services provided to students in kindergarten through grade 12 not currently identified as needing special education, but who need additional academic and behavioral support to succeed in general education, that are funded by no more than 15% of IDEA Part B funds.
- The services may include:
  - Professional development
  - Educational and behavioral evaluations
  - Educational and behavioral services
  - Educational and behavioral supports

# CEIS vs CCEIS

## CEIS

- **Voluntary** reserve
- Not significantly disproportionate
- Children K-12<sup>th</sup> grade
- Children without disabilities
- Must track and report students who receive the services

## Comprehensive CEIS

- **Required** reserve
- Significantly disproportionate
- Children ages 3 to 12<sup>th</sup> grade
- Children with or without disabilities
- Must track and report students who receive the services

# Coordinated Early Intervening Services (CEIS) Funds

- OSEP released memo 08-09 Coordinated Early Intervening Services in July 2008, stating “In this framework, tier one applies to all students in a general education setting. It would not be appropriate to use CEIS funds for tier one activities that support these students because these activities are designed to provide high-quality instruction to the entire class or school and not principally intended to address the needs of students who are struggling.”
- Cannot be used for student universal screening.
- Cannot be used for school-wide initiatives that are intended for all students.
- Cannot be used for Tier 1 activities.
- According to [34 CFR § 300.226](#), an LEA may not use more than 15 percent of the amount the LEA receives under Part B of the Act for any fiscal year to develop and implement coordinated early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12, who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.

<https://sites.ed.gov/idea/idea-files/osep-memo-08-09-coordinated-early-intervening-services/>



## Fiscal Implication of LEAs Using Comprehensive CEIS/LEA Maintenance of Effort (MOE) Reduction

- LEAs are required to maintain their level of year-to-year expenditures on special education and related services, using local-only funds or state and local funds.
- LEAs that are required to use Part B funds to implement comprehensive CEIS **may not reduce** its MOE amount because they have been identified as having significant disproportionality [see 34 C.F.R. § 300.203(b)].



## Fiscal Implication of LEAs Using Voluntary CEIS/LEA Maintenance of Effort (MOE) Reduction

- LEAs that are implementing voluntary CEIS may potentially be able to reduce the level of its MOE, unless the LEA is determined not to meet the requirements of Part B, is unable to establish and maintain programs of free appropriate public education (FAPE), or the state educational agency (SEA) has taken action against the LEA under IDEA Section 616.

# Amendment Forms

- Project Amendment Request Form ([DOE150](#))
- Budget Amendment Narrative Form ([DOE151](#))
- The signed copy of the DOE150 and/or DOE151 should be placed in the ShareFile for IDEA Part B Entitlement program.
- It is important to verify that you are submitting into the correct program folder.
- Use the correct project and TAPS numbers
  - Entitlement- XXX-2632B-2CB01, 22C001
  - Preschool- XXX-2672B-2CP01, 22C002

# Required Amendment Forms

Reason for Amendment	Required of Applicant			Response from DOE
	DOE 150	DOE 151	Written Request	Amendment DOE 200
Change in scope, goals, or objectives	X	X	-	X
Change in project evaluation scope	X	X	-	X
Change in deliverables	X	X	-	X
Change in work task	X	X	-	X
Change in key or types of personnel	X	X	-	X
Disengagement of project director	X	X		X
Obtaining services of third party	X	X	-	X
Budget revision to implement program amendment	X	X	-	X
Increase project amount	X	X	-	X
Revise project period	-	-	X	X
Change reporting dates (program or fiscal)	-	-	X	X
Decrease allocation	-	-	X	X
Terminate program	-	-	X	X

<http://www.fldoe.org/finance/contracts-grants-procurement/grants-management/project-application-amendment-procedur.stml>

# Amendment Deadlines

**April 30, 2023**

- IDEA Part B, K-12 Entitlement
- IDEA Part B, Preschool Entitlement

# Fiscal Updates

- The program office is reviewing IDEA Part B, entitlement applications
- A courtesy email will be sent from BEESS once the LEA's application review is completed
- Please note, if an edit is requested by the Program Office, LEAs are to respond to the email as soon as possible



## Any Questions

Email to [IDEAGrant@fldoe.org](mailto:IDEAGrant@fldoe.org)

or

[BEESDiscretionaryProjectTeam@fldoe.org](mailto:BEESDiscretionaryProjectTeam@fldoe.org)





# IDEA, Part B Resources

Individuals with Disabilities Education Act, Part B

# BEESF Fiscal Team Contacts



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# IDEA Part B Resources

- **Federal Register 2004 IDEA** (regulations begin on page 46756)  
<https://www.gpo.gov/fdsys/pkg/FR-2006-08-14/pdf/06-6656.pdf>
- **IDEA Regulations: 34 C.F.R. Parts 300**  
[https://www.ecfr.gov/cgi-bin/text-idx?SID=eebe381367876bf57fe8d413b076737c&mc=true&node=se34.2.300\\_1601&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=eebe381367876bf57fe8d413b076737c&mc=true&node=se34.2.300_1601&rgn=div8)
- **OSEP Policy Letters and Policy Support Documents**  
<https://sites.ed.gov/idea/policy-guidance/>
- **BESE Resource and Information**  
<https://www.fldoe.org/academics/exceptional-student-edu/beess-resources/>
- **IDEA American Rescue Plan Funds**  
<https://www2.ed.gov/policy/speced/leg/arp/index.html>

# CEIS and CCEIS Resources

- **Coordinated Early Intervening Services (CEIS) Resources Step by Step**  
<https://cifr.wested.org/resources/ceis/ceis-step-by-step/>
- **A Comparison of Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS) and Voluntary Coordinated Early Intervening Services (CEIS)**  
[https://ideadata.org/sites/default/files/media/documents/2017-09/idc\\_ceis\\_chart.pdf](https://ideadata.org/sites/default/files/media/documents/2017-09/idc_ceis_chart.pdf)
- **OSEP Significant Disproportionality (Equity in IDEA) Essential Questions and Answers (pp. 21–25)**  
<https://cifr.wested.org/resource/significant-disproportionality-equity-in-idea-essential-questions-and-answers-qa/>

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- Attorney fees and any other legal expenses in defense and prosecution of criminal and civil proceedings
- Medicaid School-based Services Program

