

Coordinated Early Intervening Services: Fiscal Requirements

mdek12.org



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EDUCATION

June 9, 2021



State Board of Education STRATEGIC PLAN GOALS

2



1

ALL Students Proficient and Showing Growth in All Assessed Areas



2

EVERY Student Graduates from High School and is Ready for College and Career



3

EVERY Child Has Access to a High-Quality Early Childhood Program

EVERY School Has Effective Teachers and Leaders

4



EVERY Community Effectively Uses a World-Class Data System to Improve Student Outcomes

5



EVERY School and District is Rated "C" or Higher

6



VISION

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens

MISSION

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community





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Continued Professional Education (CPE) Credits

- WestEd is certified by the National Association of State Boards of Accountancy (NASBA) as a CPE sponsor
- *Private School Proportionate Share* session participants are eligible to receive 2 CPE credit hours
- Participants are eligible to receive up to 4 CPE credits hours for today's sessions
- Interested participants must respond to the polls and provide their name and email address in the evaluation survey



Increase district capacity to meet fiscal requirements related to Voluntary Coordinated Early Intervening Services (CEIS) and Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS)

Increase knowledge of state-specific requirements

Identify allowable and non-allowable expenditures

Locate resources available to help ensure compliance with CEIS/CCEIS requirements

1. Coordinated Early Intervening Services Overview
2. Comparison of Voluntary CEIS and Mandatory CCEIS
3. State Requirements
4. Interaction of CEIS/CCEIS and LEA MOE
5. Calculation of CEIS Amounts
6. Allowable Use of Funds
7. Demonstration: CEIS Fiscal and Student Data Tracker

Please rate your knowledge of Voluntary Coordinated Early Intervening Services (CEIS) and Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS) fiscal requirements under IDEA?

- a. Very strong
- b. Strong
- c. Fair
- d. Weak



Introduction

What are Coordinated Early
Intervening Services?



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- Services to help children who need additional academic and behavioral support to be successful in school
- Can include professional development and educational and behavioral evaluations, services and supports (34 CFR §300.226(b); 34 CFR §300.646(d)(1)(i))
- May be voluntary (34 CFR §300.226) or mandatory (34 CFR §300.646(d))

- Identifying and addressing learning and behavior difficulties early
- Delays in providing support could result in a need for increased services at a greater cost
- May help to prevent inappropriate overidentification of particular subgroups of children with disabilities

Voluntary CEIS

34 CFR §300.226(a)

Children without a disability in grades K–12, with a particular emphasis on students in kindergarten through grade three

Mandatory CCEIS


34 CFR §300.646(d)(2)

Children with or without disabilities age 3 through grade 12, particularly, but not exclusively, children in those groups who were significantly overidentified



How many types of coordinated early intervening services are defined under the Individuals with Disabilities Education Act?

- a. 1
- b. 2
- c. 3



Voluntary CEIS and Mandatory CCEIS

A Comparison



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Voluntary CEIS

- 34 CFR 300.226
- Triggered by student need for academic and behavioral support
- May reserve up to 15% of Section 611 and 619 funds
- Grades K – 12 only
- Students not yet identified

Mandatory CCEIS

- 34 CFR 300.646
- Triggered by significant disproportionality determination
- Must reserve exactly 15% of Section 611 and 619 funds
- Age 3 – grade 12
- Identified and nonidentified



- Professional development for teachers and other school staff
- Educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction

- Professional development and educational and behavioral evaluations, services, and supports

In addition, these LEAs must also:

- Address the factors contributing to the significant disproportionality (34 CFR §300.646 (d)(1)(ii)); and
- Address a policy, practice, or procedure identified by the LEA as contributing to the significant disproportionality (34 CFR §300.646 (d)(1)(iii)).

Voluntary CEIS

An LEA is required to annually report to the state:

- the number of children served under this section who received early intervening services; and
- the number of children served under this section who received early intervening services and subsequently received special education and related services under Part B of IDEA during the preceding 2-year period.

Mandatory CCEIS

An LEA is required to publicly report:

- the revision of policies, practices, and procedures.
- Additional reporting requirements to be determined by OSEP at a future date.



This chart outlines the differences between CEIS and CCEIS in these key elements:

- Grade level
- Ages
- Groups served
- Funds
- Permitted activities
- Reporting requirements

LINK > https://ideadata.org/sites/default/files/media/documents/2017-09/idc_ceis_chart.pdf

An LEA implementing voluntary CEIS plans to use the reserved funds to provide professional development to its preschool teachers. Is this an appropriate use of funds reserved for voluntary CEIS?

- a. Yes
- b. No
- c. Maybe

An LEA may use funds for Mandatory CCEIS for behavior interventions for children with and without disabilities in middle school, particularly, but not exclusively, children in groups who were significantly overidentified.

- a. True
- b. False
- c. Unsure



State-specific Requirements



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Voluntary CEIS is defined by the regulations at 34 CFR §300.226.

Voluntary CEIS may be provided to children without a disability in kindergarten (including four-year-old kindergarten students) through grade 12, with a particular emphasis on students in kindergarten through grade three.

Mandatory CCEIS is defined by regulations at 34 CFR §300.646(d).

Comprehensive CEIS may be provided to children with or without disabilities age 3 through grade 12, specifically, but not exclusively, children in those groups who were significantly overidentified. Comprehensive CEIS activities cannot be limited to only children with disabilities.

| Steps | Actions |
|-------|--|
| 1 | LEA fills out Narrative for Voluntary Use of Funds in the CEIS Section in MCAPS Funding Application including the targeted audience and activities or intervening services. |
| 2 | LEA budgets the total amount of IDEA Part B and/or Preschool in its application budget. The MCAPS Application will automatically auto check to ensure the total amount budget does not exceed 15%. |
| 3 | Each line item budgeted in the IDEA, Part B or Preschool budget must also include a narrative description. |
| 4 | The MDE OSE Fiscal Team reviews each application for completeness. |
| 5 | The MDE OSE Data Team reviews the LEA determination report for CEIS eligibility. |
| 6 | The MDE OSE Data Team reviews the plan for appropriateness and compliance with 34 CFR §300.226. |
| 7 | The MDE OSE Data Team approves plan if activities are allowable under 34 CFR §300.226. If activities are found not to be allowable, MDE OSE will contact the LEA for revisions. |
| 8 | The MDE OSE Fiscal Team reviews and approves plan if the planned activities are allowable and funds will not be used to supplant existing funding. |

Under federal regulation 34 CFR § 300.646, MDE is required to:

“...provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State with respect to—

- (1) The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of the Act;
- (2) The placement in particular educational settings of these children; and
- (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.”

| Steps | Actions |
|-------|--|
| 1 | LEA fills out Narrative for Mandatory Use of Funds in the CEIS Section in MCAPS Funding Application including the areas of disproportionality for which mandatory CCEIS are required, targeted student's group and activities or intervening services. |
| 2 | LEA must budget the maximum 15% of total IDEA Part B and Preschool funds in its application budget. The MCAPS Application will automatically auto check to ensure the total amount budgeted does not exceed 15%. |
| 3 | Each line item budgeted in the IDEA, Part B or Preschool budget must also include a narrative description. |
| 4 | The MDE OSE Fiscal Team reviews each application for completeness. |
| 5 | The MDE OSE Data Team reviews the LEA determination report for CEIS eligibility. |
| 6 | The MDE OSE Data Team reviews the plan for appropriateness and compliance with 34 CFR §300.646. |
| 7 | The MDE OSE Data Team approves the CCEIS plan after deciding that activities follow provisions under 34 CFR §300.646. If activities are found not to be allowable, MDE OSE will contact the LEA for revisions. |
| 8 | The MDE OSE Fiscal Team reviews and approves plan if the planned activities are allowable and funds will not be used to supplant existing funding |

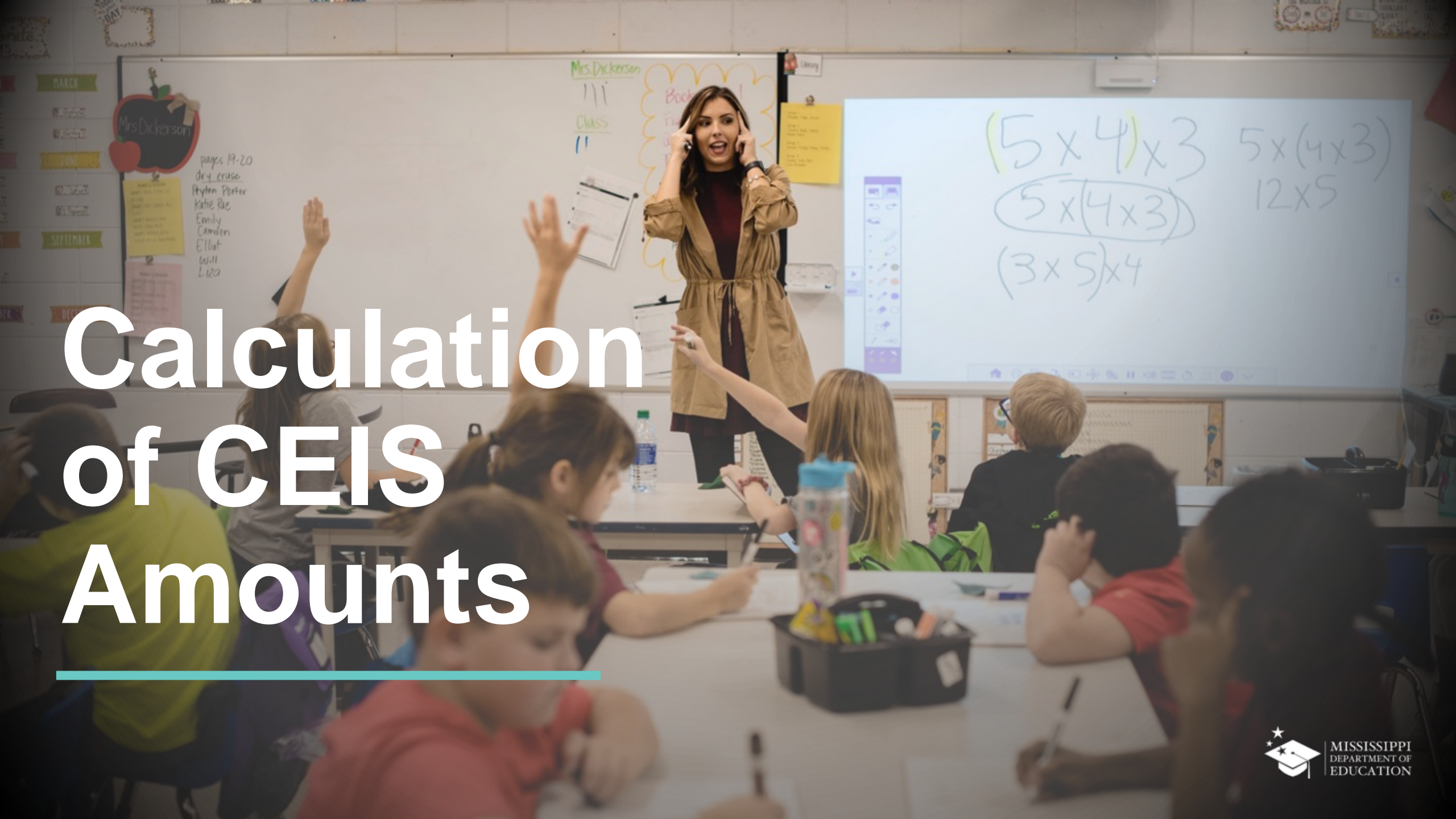
LEAs are required to submit an annual CEIS Report to track and report student information and related expenditures to the MDE OSE. The report must include the following information:

- Number of students served in year 1;
- Students served in year 1 who subsequently received special education services in year 2; and
- Students served in year 1 who subsequently received special education services in year 3.

Additionally, students who receive services funded by CEIS must be identified within MSIS.

- Professional Development - the LEA should count the number of students in need of additional support who received instruction from personnel who participated in the professional development program
- School-wide Intervention Initiatives - the LEA should count students who meet the LEA's criteria of needing additional support and participate in the initiative as receiving CEIS in the year(s) of or the year(s) immediately following the initiative and tracked for the following two years.
- Behavioral and Educational Evaluations – the LEA should count students who are evaluated to determine the supports necessary for success in a general education environment in the year of or the year immediately following the evaluation and tracked for the following two years.

Calculation of CEIS Amounts



Sunny Day School District wishes to voluntarily reserve funds for CEIS. The district will not reduce MOE. The district received \$1,400,000 IDEA section 611 funds and \$1,000,000 section 619 funds.

| | | | | |
|--|---|---|---|--|
| \$2,400,000 | × | 15% | = | \$360,000 |
| FFY 611 IDEA Funds + FFY 619 Funds | x | Maximum percentage allowed under IDEA | | Maximum amount available to use for CEIS |

Snowy Day School District has been identified by the SEA as having significant disproportionality. The district received \$1,000,000 IDEA section 611 funds and \$400,000 section 619 funds.

| | | | | |
|--|----------|---|----------|---|
| \$1,400,000 | × | 15% | = | \$210,000 |
| FFY 611 IDEA Funds + FFY 619 Funds | x | Maximum percentage allowed under IDEA | | Maximum amount that must be reserved for CEIS |

May an LEA reserve more than 15% of its IDEA Part B allocations (Section 611 and 619) for CEIS?

- a. Yes
- b. No
- c. Unsure

An LEA that participates in voluntary CEIS must set aside exactly 15 percent of its total IDEA section 611 and 619 awards.

- a. True
- b. False
- c. Unsure

Relationship Between CEIS and LEA Maintenance of Effort Reduction



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Title 34 CFR §300.205 https://www.ecfr.gov/cgi-bin/text-idx?SID=613a153487c7dcb91ab510ba77a8b8ab&mc=true&node=se34.2.300_1205&rgn=div8

“....with certain exceptions, for any fiscal year in which an LEA’s Part B allocation exceeds the amount the LEA received for the previous year, the LEA may reduce its State and Local support of special education by up to **50 percent** of the amount of the increase in its Part B allocation...”

- Use the freed-up local (or state and local) funds to carry out ESSA activities during the SFY in which the adjustment takes place.
- Receive a determination of “meets requirements” from the SEA for the SFY of the adjustment.
- Not have had action taken against it by the SEA under IDEA Section 616.
- Not have had the responsibility for providing FAPE taken away by the SEA.
- Not be determined to have significant disproportionality for the SFY of the adjustment.

A Word of Caution

LEAs that seek to adjust LEA MOE under 34 CFR §300.205 and use Part B funds for CEIS under 34 CFR §300.226 must do so with caution because these provisions interact.

Interaction of LEA MOE Adjustment and CEIS

The amount of funds used for CEIS affects the amount allowed for MOE adjustment.

Title 34 CFR §300.205 (d)

“Special rule. The amount of funds expended by an LEA for early intervening services under §300.226 shall count toward the maximum amount of expenditures that the LEA may reduce under paragraph (a) of 34 CFR §300.205 section.”

Exhibit 1. Example of interaction of an LEA’s voluntary use of Part B funds for CEIS and the LEA MOE reduction amount

| Funds received and amounts available for voluntary CEIS and LEA MOE reduction | Dollar amount |
|--|---------------|
| Prior federal fiscal year IDEA Section 611 funds received | \$1,000,000 |
| Current federal fiscal year IDEA Section 611 funds received | \$1,400,000 |
| Current federal fiscal year IDEA Section 619 funds received | \$100,000 |
| Maximum amount available for voluntary CEIS (current 611 funds + current 619 funds) x 15 percent | \$225,000 |
| Maximum amount available for LEA MOE reduction (current 611 funds – prior 611 funds) x 50 percent | \$200,000 |
| Maximum combined amount available for voluntary CEIS set-aside funds and LEA MOE reduction (lesser of the maximum amount available for CEIS or the maximum amount available for LEA MOE reduction) | \$200,000 |

Center for IDEA Fiscal Reporting & IDEA Data Center. (2015). Quick reference guide on coordinated early intervening services. San Francisco, CA: WestEd.

Allowable Use of Funds



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CEIS funds are available for the same period as IDEA funds.

LEAs have 27 months to obligate funding and 30 months to liquidate all obligations.

If an LEA voluntarily reserves CEIS funds, it may request the funds be made available for other allowable IDEA Part B purposes at any time during the period of availability.

LEAs who are required to set-aside CEIS funds are prohibited from using them for any other purpose. Therefore, when CEIS is required, those funds must remain reserved until the end of the period of availability.

- **Necessary:** A cost is necessary if it is helpful and appropriate for your program or activities IRS Definition Publication 535.
- **Reasonable:** A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under similar circumstances.
- **Allocable:** A cost is allocable to a particular Federal award if the goods or services involved are chargeable or assignable to that Federal award in accordance with relative benefits received.

- Professional development for teachers and other school staff
- Educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction

- Professional development and educational and behavioral evaluations, services, and supports

In addition, these LEAs must also:

- Address the factors contributing to the significant disproportionality (34 CFR §300.646 (d)(1)(ii)); and
- Address a policy, practice, or procedure identified by the LEA as contributing to the significant disproportionality (34 CFR §300.646 (d)(1)(iii)).

Build Your Knowledge

Voluntary CEIS Scenario

During planning for the 2017–18 school year, LEA staff reviewed data on math performance for kindergarten-through third-grade children in the LEA and found three groups of children who did not meet at least one of the four formative math assessment benchmarks the LEA monitored through progress monitoring throughout the 2016–17 school year:

1. Children who did not meet one or two benchmarks, did not qualify for any additional math interventions, and were not identified for special education and related services;
2. Children who did not meet three or four benchmarks, were not identified for special education and related services, and thus qualified for math intervention through the LEA's RTI tier two provided by trained aides during math group time; and
3. Children who did not meet one to four benchmarks but received special education and related services.

Target Intervention

The LEA will voluntarily use CEIS funds to provide professional development on scientifically based math interventions to all K–3 teachers at the beginning of the school year.

Target Student Group

The target group is the children in group (1) who did not meet one or two formative math assessment benchmarks and did not qualify for RTI math interventions or special education and related services. The 60 kindergarten-through-third-grade teachers who attended the training teach this group of children.

Tracking


The LEA should consider tracking only those children who are in the target group (did not meet math assessment benchmarks but did not receive RTI math interventions and were not identified for special education and related services) and received math interventions from the teachers who received CEIS-funded professional development.

Reporting

For CEIS reporting purposes, the LEA should not count children who did not need additional support or children who were eligible for and received the RTI or special education intervention (groups 2 and 3 above), even if they received math interventions from the teachers who received CEIS-funded professional development.

Based on planning, the LEA budgeted and expended 15% of its IDEA Section 611 and 619 Funds to provide professional development including the:

- Actual cost of the training;
- Supplies and materials for the training;
- Funds the LEA used to pay teachers to attend or pay for substitute teachers during the training; and
- Meeting space fees

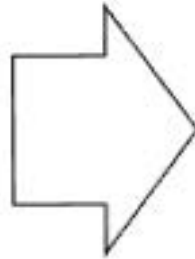


Test Your Knowledge CEIS/CCEIS Allowable Use of Funds



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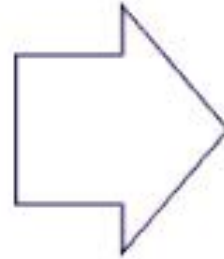
May CEIS/CCEIS funds be used to purchase supplemental interventions for a student determined to need this additional support to succeed in the general education program?



Allowed

CEIS/CCEIS funds may be used to fund supplemental academic and behavioral interventions for students determined to need additional academic and behavioral supports to succeed in general education.

May CEIS/CCEIS funds be used for the purchase of core curriculum?



Not allowed

CEIS/CCEIS funds are not intended to be used for Core Curriculum.

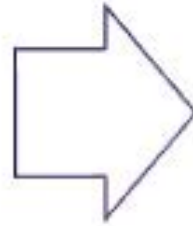
May CEIS/CCEIS funds be used to pay for the salary of a CEIS/CCEIS coordinator?



Allowed

CEIS/CCEIS funds may be used for salaries and fringe benefits, or portion thereof, for staff directly coordinating or supervising allowable CEIS/CCEIS activities.

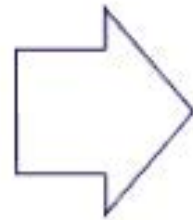
May CEIS/CCEIS funds be used for the salary, or a portion thereof, of a school psychologist?



May be allowed

Allowable if costs include a school psychologist's efforts to implement behavioral interventions, progress monitoring, other CEIS/CCEIS evaluations, and related professional development.

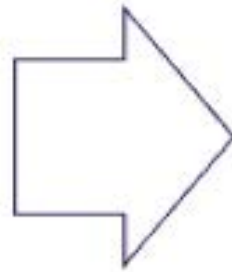
**May CEIS/CCEIS
funds be used for
after school
programming?**



May be allowed

CEIS/CCEIS funds may be used to provide academic and behavioral interventions after school under certain circumstances. CEIS/CCEIS funds may NOT be used for after school programming available to all students.

May CEIS/CCEIS funds be used for universal screening or assessment of all students in a grade, school, or LEA?



Not allowed

CEIS/CCEIS funds **may not** be used for universal screening or assessment administered to all students in a grade, school, or LEA.

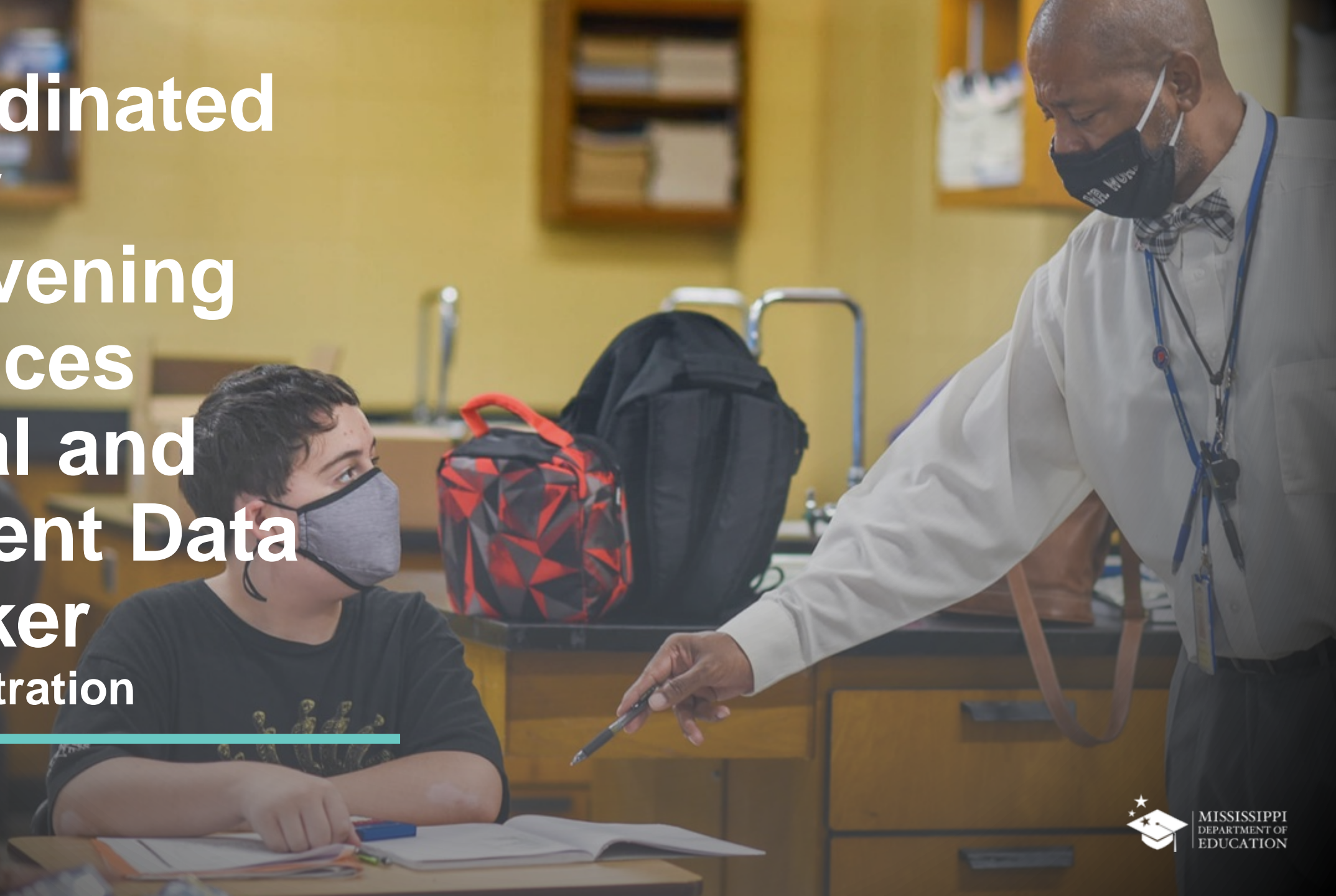
May CEIS/CCEIS funds be used for progress monitoring?



May be allowed

CEIS/CCEIS funds may be used for progress monitoring of supplemental interventions provided to those students determined to need additional academic and behavioral supports to succeed in general education.

Coordinated Early Intervening Services Fiscal and Student Data Tracker Demonstration



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The CEIS Fiscal and Student Data Tracker helps users collect data on the areas of significant disproportionality requiring CEIS spending, whether an LEA provided voluntary or comprehensive CEIS:

- amounts of IDEA funds reserved and expended,
- types of CEIS activity,
- students receiving CEIS, and
- if and when those students are found eligible for special education and related services.

LINK > <https://ideadata.org/resources/resource/1689/using-the-coordinated-early-intervening-services-ceis-fiscal-and-student>

Additional Resources



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- Quick Reference Guide on Coordinated Early Intervening Services:
<https://cifr.wested.org/wp-content/uploads/2015/12/CIFR-CEIS-QRG.pdf>
- CEIS Resources Step-by-Step: <https://cifr.wested.org/resources/ceis/ceis-step-by-step/>
- A Comparison of Mandatory CCEIS and Voluntary CEIS:
https://ideadata.org/sites/default/files/media/documents/2017-09/idc_ceis_chart.pdf
- OSEP Memo 08-09: Coordinated Early Intervening Services Under Part B of the IDEA:
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep08-09coordinatedearlyinterveningervices.pdf>
- For additional resources and information, visit:
 - CIFR website: <https://cifr.wested.org/>
 - IDEA Data Center (IDC) website: <https://ideadata.org/>

Please rate your knowledge of Voluntary Coordinated Early Intervening Services (CEIS) and Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS) fiscal requirements under IDEA?

- a. Very strong
- b. Strong
- c. Fair
- d. Weak

Thank you

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