

REQUEST FOR APPLICATION

Program Guidelines
2013-2014 Special Education
Consolidated Grant
Application

Authorizing statute listed individually, by program

Application Closing Date—5:00 p.m., Central Time
Application due date: August 27, 2013

TEXAS EDUCATION AGENCY

**Division of Federal and State Education Policy
1701 North Congress Avenue
Austin, Texas 78701**

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Introduction to the Program Guidelines

This part of the request for application (RFA), Program Guidelines, is to be used in conjunction with the [General and Fiscal Guidelines](#) and the schedule instructions. The Standard Application System (SAS) consists of all schedules (i.e., forms) to be completed in order for the applicant to be eligible for funding. The application to which these instructions refer must be submitted electronically through the eGrants system. The Texas Education Agency (TEA) will not accept the application via any other means.

For applicants selected for funding, all guidelines and instructions will be incorporated by reference into the Notice of Grant Award (NOGA).

Requirement for User Name and Password

To access eGrants and apply for this grant, you must have access to the Texas Education Agency Secure Environment (TEASE). In the near future, eGrants access will migrate from TEASE to the new secure environment, TEA Login (TEAL). Follow these steps to apply for user names and passwords on both TEASE and TEAL:

1. Visit the [TEASE—Request Access Online](#) page of the TEA website. Select [Request New Account](#) to begin the process of applying for a TEASE account online.
2. Visit the [TEA Login \(TEAL\)](#) page of the TEA website. Select [Request New User Account](#) to begin the process of applying for a TEAL account online.
3. Once you have been assigned a TEASE account, visit the [Add/Modify Application](#) page of the TEA website to apply for eGrants access.

The Grant Management Handbook, posted on the [Grant Management Resources](#) page of the TEA website, includes detailed instructions on applying for TEASE, TEAL, and eGrants access.

Application Submission through eGrants

Submit the application for these grant programs only electronically through the TEA eGrants system. Applications will not be accepted by TEA via any other means. Refer to the [General and Fiscal Guidelines](#) for more specific information about accessing eGrants and obtaining the required TEASE user ID and password.

Applications must be submitted as follows:

- Those submitted by public LEAs must be signed by the superintendent of the school district or a designee.
- Applications submitted by regional Education Service Centers (ESCs) must be signed by the executive director or a designee.

- Applications submitted by open-enrollment charter schools must be signed by the chief operating officer of the school.
- Campuses and campus charter schools must apply through their public school district, and the application must be signed by the superintendent or designee.
- All organizations must meet requirements for proof of financial stability. See the [General and Fiscal Guidelines](#) for extensive information.

Reference to the General and Fiscal Guidelines

The Program Guidelines provide information specifically relevant to this grant program. The [General and Fiscal Guidelines](#) provide information relevant to all TEA grant programs. Throughout the Program Guidelines, cross-references are given to applicable sections of the [General and Fiscal Guidelines](#). **It is critical that you review all referenced sections of the [General and Fiscal Guidelines](#) when preparing your application.**

US Department of Education and/or State Appropriations

The following grant programs are included in the 2013-2014 Special Education Consolidated Grant Application:

- IDEA-B Formula
- IDEA-B Formula Deaf
- IDEA-B Preschool
- IDEA-B Preschool Deaf
- IDEA-C Early Childhood Intervention
- IDEA-D Deaf-Blind
- State Deaf
- SSVI

For each of those programs, the following information is provided in compliance with the US Department of Education Appropriations Act.

IDEA-B Formula Appropriations

Category	Amount
Total funds available for this project	Approximately \$803,519,331
Percentage to be financed with federal funds	100%
Amount of federal funds	\$803,519,331
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

IDEA-B Formula Deaf Appropriations

Category	Amount
Total funds available for this project	Approximately \$2,273,042
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$2,273,042
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

IDEA-B Preschool

Category	Amount
Total funds available for this project	Approximately \$15,681,439
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$15,681,439
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

IDEA-B Preschool Deaf

Category	Amount
Total funds available for this project	Approximately \$300,970
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$300,970
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

IDEA-C Early Childhood Intervention

Category	Amount
Total funds available for this project	Approximately \$85,373
Percentage to be financed with federal funds	100%
Amount of federal funds	\$85,373
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

IDEA-D Deaf-Blind

Category	Amount
Total funds available for this project	Approximately \$575,000
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$575,000
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0

State Deaf

Category	Amount
Total funds available for this project	Approximately \$33,133,200
Percentage to be financed with federal funds	0%
Amount of federal funds	\$0
Percentage to be financed from nonfederal sources	100%
Amount of nonfederal funds	\$33,133,200

State Supplemental Visually Impaired (SSVI)

Category	Amount
Total funds available for this project	Approximately \$115,377
Percentage to be financed with federal funds	100%
Amount of federal funds	\$0
Percentage to be financed from nonfederal sources	100%
Amount of nonfederal funds	\$115,377

Grant Timeline

For all dates related to the grant, including reporting dates, see the [TEA Grant Opportunities](#) page. If a report due date falls on a weekend or holiday, the report will be due the following business day. All dates except the grant ending date may vary slightly as conditions require.

Grant at a Glance

This section provides fundamental information pertinent to the grant program.

Authorizing Legislation

Special Education Consolidated is authorized by the Individuals with Disabilities Education Act (IDEA), as amended by the IDEA Improvement Act of 2004, Public Law (P. L.) 108-446, Part B, Part C, and Part D.

Applicable Law and Regulations

In addition to regulations cited in **CS7000—Provisions, Assurances and Certifications**, the following regulations are applicable:

- 34 Code of Federal Regulations (CFR) Part 300
- P. L. 108-446
- The Texas General Appropriations Act (GAA), 82nd Legislature.

Fund Codes/CFDA Numbers

IDEA-B Formula	Fund Code:	224/313
	CFDA Number:	84.027A
IDEA-B Preschool	Fund Code:	225/314
	CFDA Number:	84.173A
ECI	Fund Code:	253/340
	CFDA Number:	84.181A
IDEA-D Deaf-Blind	Fund Code:	229/318
	CFDA Number:	84.326C
IDEA-B Formula Deaf	Fund Code:	227/316
	CFDA Number	84.027A
IDEA-B Preschool Deaf	Fund Code:	228/317
	CFDA Number:	84.173A
SSVI	Fund Code:	385/434
	82nd GAA:	Article III
State Deaf	Fund Code:	386/435
	82nd GAA:	Article III

Eligible Applicants

See the [General and Fiscal Guidelines](#), Eligibility Requirements.

The following organizations in Texas are eligible to apply for a grant under Special Education Consolidated:

Program	Eligible Applicants
IDEA-B Formula	LEA fiscal agents State agencies operating education programs
IDEA-B Formula Deaf	RDSPD fiscal agents TSD
IDEA-B Preschool	LEA fiscal agents TSBVI
IDEA-B Preschool Deaf	RDSPD fiscal agents TSD
IDEA-C ECI Deaf	RDSPD fiscal agents TSD
IDEA-D Deaf-Blind	TSBVI
State Deaf	RDSPD fiscal agents
SSVI	TSBVI

The following eligibility requirements also apply:

- The applicant must be in compliance with submitting the annual audit to TEA, as described in the [General and Fiscal Guidelines](#).

Shared Services Arrangement

Shared services arrangements (SSAs) are allowed. See the [General and Fiscal Guidelines](#), Shared Services Arrangements. In addition to the guidance provided in the [General and Fiscal Guidelines](#), the following requirements also apply to this grant.

The SSA shall determine in advance and in writing as part of the SSA agreement how Federal carryover (roll-forward) funds will be distributed if a member LEA leaves the arrangement or if the arrangement dissolves. The SSA and its members are charged with handling the accounting and documentation of any transfers of funds resulting from a member LEA leaving the SSA or an SSA dissolving. Upon request, documentation of any such transfers must be made available to TEA.

A copy of the written agreement (SSA contract) and an attorney certification letter must be submitted to the Division of Federal Fiscal Compliance and Reporting by June 1. The fiscal agent must also maintain on file a copy of the SSA agreement/contract for audit or monitoring purposes.

When SSA configurations change, the fiscal agent and the affected member districts (i.e., the member district leaving or joining the SSA) must submit a notification letter to the Division of Federal Fiscal Compliance and Reporting by February 1 for changes that will become effective for the next school year. The revised contract must be submitted to the Division of Federal Fiscal Compliance and Reporting by June 1.

TEA will not approve the Special Education Consolidated grant application for the new school year until the new or revised SSA contract has been received.

Application Funding

See the following sections of the [General and Fiscal Guidelines](#):

- Grant Funding
- Continuation Funding
- Fund Management
- Use of Funds

Budget Considerations

Carryover

LEAs are cautioned that all carryover funds must be expended by the end of the carryover project period or these carryover funds will lapse. There is no limitation on carryover amounts for the following grants:

- IDEA-B Formula
- IDEA-B Formula Deaf
- IDEA-B Preschool
- IDEA-B Preschool Deaf

Carryover is not available for the following fund sources:

- IDEA-C Early Childhood Intervention (Deaf)
- State Deaf
- SSVI

Classifying Costs

- 2CFR Part 225 Appendix B defines equipment as an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that equals or exceeds the lesser of \$5,000 or the capitalization level established by the LEA for financial statements.

Items that are under \$5,000 or under the capitalization level established by the LEA should be budgeted under class/object code 6300 Supplies and Materials. There may be circumstances when property coded to 63XX must be inventoried for insurance valuation purposes. This is a local option.

Software and data management systems may be coded to class object codes 6200, 6300, or 6600 depending on the specific circumstances of the transaction.

- Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its cost calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). Consult the [FAR module of the FASRG](#) for information on classifying costs.
- For SSAs, identify the needs for the member districts in the various class/object categories throughout the application. The cost items indicated in the application should be a composite of all amounts requested by the fiscal agent and its members. The 6493 Payments

to Member Districts row of the **BS6006—Program Budget Summary and Support, Part 2: Budgeted Costs** is a footnote to be used by the fiscal agent to indicate the total amount anticipated to be paid to its member districts.

Cost Share or Matching Requirement

See the [General and Fiscal Guidelines](#), Cost Share/Match Requirement.

There is no cost share or matching requirement for this grant program.

Limitation of Administrative Funds

See the [General and Fiscal Guidelines](#), Administrative Costs.

Of the programs included in the Special Education Consolidated Application, only IDEA-D Deaf Blind permits the expenditure of administrative costs. Up to 100% of the total IDEA-D Deaf Blind grant awarded for the fiscal year may be used for administrative costs.

NOTE: Administrative funds include **both** direct administrative costs **and** allowable indirect costs.

Pre-Award Costs

Pre-award costs are only available with prior approval from the Agency. Pre-award costs are not permitted for any other LEAs.

Applicant Assistance

The following types of assistance are available to applicants for this grant program.

Contacts for Clarifying Information

See the [General and Fiscal Guidelines](#), TEA Contacts.

Program Contact Information

The following TEA staff member should be contacted with questions about the grant program, including questions about allowable expenses:

Brent Pitt, Manager, Federal and State Education Policy
sped@tea.state.tx.us
Phone: (512) 463-9414
Fax: (512) 463-9560

Fiscal Contact Information

Grants Administration
grants@tea.state.tx.us
Phone: (512) 463-8525
Fax: (512) 463-9811

Errata Notices

See the [General and Fiscal Guidelines](#), Errata Notices.

Listserv Messages

See the [General and Fiscal Guidelines](#), Listserv Messages.

Program Elements

This section provides detailed information about the grant program.

Program Description

The goals of the Special Education Consolidated program are the following:

- Ensure that all children with disabilities receive 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
- Ensure that the rights of children with disabilities and their parents are protected
- Ensure that IEPs are designed to improve results

LEAs will do the following:

- Individuals with Disabilities Act (IDEA)-B: Provide special education and related services to children with disabilities ages 3–21
- IDEA-C: Carry out programs that provide early intervention services for infants and toddlers with auditory impairments and for their families
- IDEA-D: Provide technical assistance and dissemination to improve services and results for children with disabilities
- State Deaf: Provide educational services for students who are deaf or hard of hearing
- State Supplemental Visually Impaired (SSVI): Provide services unique to students who are blind or visually impaired

IDEA-B Formula/IDEA-B Formula Deaf

The purpose of IDEA-B is to provide special education and related services to children with disabilities ages 3–21. The regulations implementing IDEA-B define the purpose of the act as a means to do the following:

- Ensure that all students with disabilities have available a free, appropriate public education (FAPE) that includes special education and related services to meet their unique needs.
- Ensure that the rights of students with disabilities and of their parents are protected.
- Assist states and localities in providing for the education of all students with disabilities.
- Assess and ensure the effectiveness of efforts to educate those students.

This allocation (for both tentative and maximum entitlements) is awarded by TEA based on three components: base, population, and poverty:

- The **base** entitlement amount is a frozen amount derived from the 1998 child count.
- The **population** amount is 85% of the remaining funds available from the Federal government for flow-through funds to the local education agencies (LEAs). This amount is based on the relative number of children enrolled in public and private elementary and secondary schools within the LEA's jurisdiction. It is determined by the student count reported under the Enrollment coding on the October Public Education Information Management System (PEIMS) snapshot from the previous school year.
- The **poverty** amount is 15% of the remaining funds available from the Federal government for flow-through funds to the LEAs. This amount is based on the relative numbers of children living in poverty. It is determined by the student count reported under the Free and Reduced Lunch coding on the October PEIMS snapshot from the previous school year.

Tentative Amount

TEA tentatively awards each LEA an adjusted **base** amount and a calculated population and **poverty** allocation. These amounts are based on the preliminary funding amounts that the USDE provides to Texas.

Maximum Entitlement

The maximum entitlement amount is based on remaining funds available from the final USDE NOGA awarded to Texas. Remaining funds, if applicable, are allocated to LEAs with 85% of the increase allocated for the **population** component and 15% allocated for the **poverty** component.

Exception: IDEA-B Formula Deaf awards are calculated for RDSPD fiscal agents based on a fixed allocation.

These current-year funds for IDEA-B Formula and IDEA-B Formula Deaf are to be budgeted in the 2013–2014 Special Education Consolidated Grant Application.

Authority: P. L. 108-446 Individuals with Disabilities Education Act, Part B (IDEA-B) (34 CFR, Parts 74, 76–77, 79–82, 84–86, 97–99, and 300)

IDEA-B Preschool/IDEA-B Preschool Deaf

The purpose of IDEA-B is to provide special education and related services to children with disabilities ages 3–21. In addition to the purpose of IDEA-B Formula funds, the regulations implementing the IDEA-B Preschool funds as a part of this act define the purpose of the act as a means to supplement and increase services beyond the level of State and local funds expended for preschool students ages 3–5 with disabilities.

This allocation is awarded by TEA based on three components: base, population, and poverty:

- The **base** entitlement amount is a frozen amount derived from the 1996 child count.
- The **population** amount is 85% of the remaining funds available from the Federal government for flow-through funds to the local education agencies (LEAs). This amount is based on the relative number of children enrolled in public and private elementary schools within the LEA's jurisdiction. It is determined by the student count reported under the Enrollment coding on the October PEIMS snapshot from the previous school year.

- The **poverty** amount is 15% of the remaining funds available from the Federal government for flow-through funds to the LEAs. This amount is based on the relative numbers of children living in poverty. It is determined by the student count reported under the Free and Reduced Lunch coding on the October PEIMS snapshot from the previous school year.

Projected Maximum Amount

TEA tentatively awards each LEA a projected **maximum** amount. These amounts are based on the preliminary USDE amounts provided to TEA. **Population** and **poverty** are used in the calculation of the projected maximum amount.

Revised Maximum Entitlement

The revised maximum entitlement amount is based on remaining funds available from the final USDE NOGA awarded to TEA. Remaining funds, if applicable, are allocated to LEAs with 85% of the increase allocated for the population component and 15% allocated for the poverty component.

Exception: IDEA-B Preschool Deaf awards are calculated for RDSPD fiscal agents based on a fixed allocation.

These current-year funds for IDEA-B Preschool and IDEA-B Preschool Deaf are to be budgeted in the 2013–2014 Special Education Consolidated Grant Application.

Authority: P.L. 108–446 IDEA-B, Section 619 (Preschool Grant) (34 CFR, Parts 74, 76–77, 79–82, 84–86, 97–99, and 300)

IDEA-C Early Childhood Intervention Deaf

The purpose of IDEA-C is to carry out programs that provide early intervention services for infants and toddlers with auditory impairments and for their families.

The regulations implementing IDEA-C authorize early intervention services to infants and toddlers with disabilities and to their families. (Early Intervention Services under Part C are separate and distinct from the Part B Coordinated Early Intervening Services (CEIS) that LEAs may provide to children who have not been identified as eligible children with disabilities.) Part C funds target individuals who are under three years of age and who need early intervention services because they are experiencing a developmental delay. Part C is a family-based rather than a school-based program of services. These include family-oriented services such as family training, family counseling, and home visits (Part C Sections 631 and 632). The project is administered by TEA through a contractual arrangement with the Texas Department of Assistive and Rehabilitative Services. A portion of the funds is transferred back to TEA for children with auditory impairments, birth through two, who are receiving services through the RDSPD or TSD.

This allocation is based on the number of children from birth through age two who are deaf or hard of hearing and were reported on the October PEIMS snapshot from the previous school year. These funds are available only to Regional Day School Program for the Deaf (RDSPD) fiscal agents and the Texas School for the Deaf through a memorandum of understanding (MOU) between TEA and the Texas Department of Assistive and Rehabilitative Services (DARS), Early Childhood Intervention Services.

These current-year funds for IDEA-C Early Childhood Intervention (Deaf) are to be budgeted by RDSPD fiscal agents and Texas School for the Deaf (TSD) in the 2013–2014 Special Education Consolidated Grant Application.

Authority: P.L. 108–446 IDEA-C, Early Childhood Intervention (34 CFR, Parts 74, 76–77, 79–82, 84–86, 97–99, 300, and 303)

IDEA-D Deaf-Blind

The purpose of IDEA-D funds is to provide technical assistance and dissemination to improve services and results for children with disabilities. The purpose of this program is to promote academic achievement and improve results for children with disabilities by providing technical assistance and model demonstration projects, disseminating useful information, and implementing activities that are supported by scientifically based research. IDEA includes provisions designed to ensure that each child with a disability is provided a high-quality individual program of services to meet his or her developmental and educational needs. For children who are deaf and blind to receive such services, intensive technical assistance must be available to TEA, the LEA, parents, and professionals (Sections 661 and CFDA 84.326C).

TEA acquires these funds in a five-year grant cycle for the Projects for Children and Young Adults Who Are Deaf-Blind. Funds are awarded based on approval of the application submitted by TEA to the USDE, Office of Special Education Programs (OSEP). The project is administered by TEA through the Texas School for the Blind and Visually Impaired (TSBVI).

These current-year funds for IDEA-D Deaf-Blind are to be budgeted by TSBVI in the 2013–2014 Special Education Consolidated Grant Application.

Authority: P.L. 108–446 IDEA-D (34 CFR, Parts 74–77, 79–82, 84–86, and 97–99)

State Deaf

The purpose of State Deaf funds is to provide educational services for students who are deaf or hard of hearing. RDSPD State Foundation School Program funds are allocated to RDSPD fiscal agents for the purpose of providing educational services, including continuing diagnosis and evaluation, counseling, and teaching, for students who are deaf or hard of hearing (TEC §30.083).

This appropriation is distributed to Regional Day School Programs for the Deaf (RDSPD) fiscal agents based on the number of weighted full-time equivalent students served.

These current-year funds for State Deaf are to be budgeted by RDSPD fiscal agents in the 2013–2014 Special Education Consolidated Grant Application.

Authority: Texas Education Code (TEC) Section 30.087(a) and (b); GAA Article III, 82nd Legislature, Rider 15

State Supplemental Visually Impaired

SSVI funds are Foundation School Program funds that are designated to provide services unique to students with visual impairments. They are awarded to the TSBVI to fund a component for students who are blind or visually impaired.

SSVI Foundation School Program funds are allocated to provide services unique to students who are blind or visually impaired. The purposes of the SSVI grant are to improve the achievement of all students who are blind or visually impaired and to ensure that comprehensive services are available to all students who are blind or visually impaired. TSBVI historically has expended these funds for statewide outreach services to students in local district programs (TEC §30.002).

These current-year funds for SSVI are to be budgeted by TSBVI in the 2013–2014 Special Education Consolidated Grant Application.

Authority: TEC 30.002(g); GAA Article III, 82nd Legislature, Rider 17

Coordinated Early Intervening Services (CEIS)

You may use up to 15% of IDEA-B Formula and/or Preschool funds for any fiscal year to develop and implement coordinated early intervening services for students in Kindergarten through Grade 12 (with a particular emphasis on students in Kindergarten through Grade 3) 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 (20 U.S.C. §1413[f], 34 CFR §300.226). If preschool funds are reserved, the funds may not be spent on preschool children; the preschool funds may be spent on nondisabled, struggling children grades K through 12 for CEIS purposes.

LEAs that are identified with Significant Disproportionality based on race or ethnicity must reserve the maximum amount (the full 15% of both IDEA-B Formula and Preschool funds) to provide CEIS. These LEAs must use these funds to provide comprehensive, coordinated early intervening services to serve children in the LEA, particularly, but not exclusively, children in those groups who were significantly overidentified (34 CFR §300.646).

For example, assume an LEA's data show significant disproportionality in the identification of African-American students as children with disabilities and that the majority of these students are identified in the fourth and fifth grades in 6 of the LEA's 15 elementary schools. In this case, one appropriate way an LEA could implement CEIS would be to direct CEIS funds to all nondisabled third and fourth grade children in need of additional academic or behavioral support in those six schools. In this example, the services would be provided to third and fourth grade students in order to intervene prior to the grade where significant disproportionality was identified. It would not be appropriate, however, for the LEA to limit eligibility for CEIS only to nondisabled third and fourth grade African-American students in those schools who were in need of additional academic or behavioral support.

When maximum entitlements are received, these LEAs that are identified with Significant Disproportionality must increase the amount for CEIS so that it continues to be the full 15% of their entitlement.

If an LEA voluntarily reserves CEIS funds and then decides it will not spend CEIS funds after all, the LEA must submit an amendment to zero out the CEIS funds allocated in the application.

All LEAs that reserve CEIS funds are required to submit the **Special Education SC5100 CEIS Data Collection** form annually for three years following the use of CEIS funds.

Special Note: Before accessing IDEA-B Formula and/or Preschool funds for CEIS, consider assembling an integrated (general and special education) program evaluation team to establish the need for CEIS, determine how you will identify students needing these services, and develop a written plan for implementation.

Activities

In implementing coordinated early intervening services under 34C.F.R. §300.226, you may carry out activities that include the following:

- Professional development (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction, and where appropriate, instruction on the use of adaptive and instructional software. (See Special Note under Data Collection and Reporting Requirements.)

CEIS funds may be used to provide professional development to all personnel who are responsible for students who need additional academic and behavioral supports to succeed in a general education environment but who have not been identified as needing special education. Under limited circumstances, personnel who are solely responsible for students receiving special education services or students who do not need additional support may participate in professional development funded with CEIS funds. These personnel may participate so long as the cost of the professional development does not increase, the quality of the professional development does not decrease, and the inclusion of those personnel would not exclude other personnel who are responsible for students who need additional support but have not been identified as needing special education.

- Provision of educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction
- CEIS funds may be used to support response to intervention (RtI), as long as the CEIS funds are used for services to nondisabled students in need of additional academic and/or behavioral support and supplement, not supplant, other funds used to implement RtI. LEAs must ensure that CEIS funds are used to provide services only to students who have not been identified as eligible for special education services but need additional academic and/or behavioral support (CFR §300.226[a]).

For example, one RtI framework may include a three-level continuum of instructional support. 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 additional needs of students who are struggling. Tier-two activities provide specialized small-group instruction for students determined to be at risk for academic and/or behavioral problems. It would be appropriate to use CEIS funds to support these Tier-two activities for these nondisabled, struggling students. Students who have been identified with disabilities and receive special education and related services are not eligible for activities funded by CEIS. Tier three includes specialized individualized instructional and/or behavioral support for students with intensive needs. As in the case of Tier-two activities, CEIS funds could be used for activities that support general education students at risk for academic and/or behavioral problems but could not be used for students who are receiving special education or related services.

- Provision of behavioral and educational evaluations to determine the supports that are needed by students to succeed in a general education environment.

CEIS funds **may not** be used for universal screening instruments that are used to screen all students. Also, CEIS funds **may not** be used for evaluations that are intended for use in determining eligibility for special education and related services.

Students who are evaluated to determine the supports necessary for success in a general education environment should be counted as receiving CEIS in the year of or the year immediately following the evaluation and tracked the following two years.

Relationship between CEIS and Free, Appropriate Public Education

CEIS does not limit or create a right to FAPE under IDEA-B or allow agencies to delay appropriate evaluation of a child suspected of having a disability (34 CFR §300.226[c]).

Data Collection and Reporting Requirements

Each LEA that reserves IDEA-B funds for CEIS must report to TEA on the following:

- The number of children served under 34 CFR §300.226 who received CEIS
- The number of children served under 34 CFR §300.226 who received CEIS and subsequently received special education direct and/or related services under IDEA-B during the preceding one- or two-year period (i.e., the two years after the child has received CEIS).

The LEA must report these counts via the Special Education **SC5100 CEIS Data Collection** form associated with the Special Education Consolidated grant application. The deadline to submit the SC5100 is November 30 or the next business day of each applicable year. You are not in compliance with grant conditions and requirements if CEIS funds were reserved and the SC5100 form is not submitted. Grantee Official TEASE access is required in order to certify and submit the SC5100 submission to the state. See the instructions for the SC5100 CEIS Data Collection form.

You are encouraged to develop data collecting and reporting systems to ensure timely and accurate submission to the State.

Special Note: An LEA should count and track for three years the number of students in need of additional support who received instruction from personnel who participated in the professional development program. It would not be appropriate to count every student who was taught by these personnel if some of the students were not in need of additional support or were receiving special education or related services. The LEA should only count the nondisabled, struggling students served by personnel who participated in the professional development program in the years of or the years immediately after the training, rather than counting students served by those personnel each year after the training.

Students who are evaluated to determine the supports necessary for success in a general education environment should be counted as receiving CEIS in the year of or the year immediately following the evaluation and tracked the following two years.

Use of Data

States will be required to report annually to the USDE OSEP on the three data elements described in the Data Collection and Reporting Requirements section as well as the dollar amount reserved by the LEA for CEIS. The State will review statewide data on CEIS to determine overall statewide performance. The State may also use the data to identify effective or successful programs.

You are encouraged to review the data you collect on an ongoing basis to determine the effectiveness of your LEA's early intervention efforts.

Funding Requirements

Optional Use of CEIS Funds: You may use up to 15% of the entitlement received under IDEA-B (FAR Fund Code 224/313 and/or 225/314) minus local fiscal adjustments (voluntary MOE reduction) made under Part B regulation §300.205 for CEIS. These CEIS funds may be used in combination with other funds (including sources other than education funds) which may include interagency financing structures [Section 613(f)(1)]. Both FAR Fund Codes 224/313 and 225/314 (IDEA-B Formula and Preschool) may be spent on nondisabled, struggling children grades K through 12. However, the LEA may not serve preschool children with CEIS funds. Unspent CEIS funds may be reallocated during the time that the funds are available for obligation. **If the LEA reserves the CEIS funds but later decides not to use the funds, the LEA should submit an amendment to zero out the CEIS funds.**

Required Use of CEIS Funds: If an LEA is identified with significant disproportionality based on race or ethnicity, the LEA must reserve the maximum amount of funds received under IDEA-B (FAR Fund Codes 224/313 and 225/314) for CEIS. The LEA must use 15% of the total IDEA-B funds, both Formula and Preschool, awarded to it. Both Formula and Preschool funds may be spent on nondisabled, struggling children grades K through 12. However, the LEA may not serve preschool or pre-Kindergarten (PPCD) children with CEIS funds.

The funds must be used during the period of their availability for obligation and must be used for CEIS regardless of whether the significant disproportionality is resolved during the time that the funds are available. The LEA may not reduce the amount it uses for this calculation by any other amount required by the IDEA. For example, an LEA may **not** deduct proportionate share funds for students parentally-placed in private schools before calculating the 15%.

If an LEA is required to use the maximum 15% of its total IDEA-B entitlement for CEIS because of significant disproportionality, that LEA may not use the flexibility option to reduce MOE (300.205).

Both Optional and Required Use of CEIS Funds: The general supplement not supplant requirement for IDEA funds in 34 CFR §300.202(a)(3) states that funds provided to LEAs under Part B of the IDEA must be used to supplement state, local, and other federal funds and not to supplant those funds. This requirement applies to all Part B funds, including any used for CEIS.

In addition, 34 CFR §300.226(e) states that CEIS funds may be used to carry out CEIS aligned with activities funded and carried out under the Elementary and Secondary Education Act (ESEA) if those funds are used to supplement, and not supplant, funds made available under the ESEA for the activities and services assisted using CEIS funds.

It may be presumed that an LEA is in violation of the IDEA's supplement not supplant provisions if it uses IDEA funds in one of the following ways:

- To provide services that are otherwise required by Federal, State or local law*
- To provide services that were paid for with other funds in a prior year, including if the IDEA funds are used for CEIS activities coordinated with activities funded under the ESEA and the IDEA funds are used to provide services that were paid for with ESEA funds in the prior year

CEIS may not include services that were provided with other funds in a prior year, including services that were paid with ESEA funds. An LEA might be able to rebut these presumptions through the presentation of evidence that, even without CEIS funds, the other funds would not have been used in the current year for the activities now paid for with CEIS funds. Additional supplement not supplant provisions apply to federal funds provided under Titles I and III of the ESEA. If an

LEA chooses to use CEIS funds for activities aligned with activities funded under Titles I and III, it must meet those requirements. Due to the complexities of implementing the requirements related to CEIS, LEAs are encouraged to utilize the [technical assistance resources developed by the USDE](#).

*If a student is being served under a 504 plan and/or the district's Dyslexia program, CEIS funds may not be used. If a 504 student or a student with dyslexia is not being served under these plans or if the requested services are an enhancement to the existing services, CEIS funds may be used. If the 504 student or student with dyslexia is identified as a student with a disability, CEIS funds may not be used since CEIS funds may only be used for nondisabled students in need of additional academic or behavioral support.

Federal funds always retain their identity. It is incumbent upon TEA and your organization to account for the receipt and expenditure of Federal funds and to ensure that Federal funds are used for allowable costs in accordance with Federal fiscal requirements.

You should use a local option code that uniquely identifies the cost objective used to account for the expenditure of Federal, State, and local funds on coordinated early intervening services. The use of local and State funds for CEIS that were previously expended on special education services may result in an apparent decline in MOE. You should maintain documentation (policies, procedures, identification criteria, needs assessment, improvement plan, and budget) that adequately describes the program implemented.

CEIS Funds and MOE

CEIS and MOE are interrelated. For more information, see the IDEA-B CEIS Guidance Handbook, posted on the [IDEA-B MOE](#) page of the TEA website.

Supplement, Not Supplant

See the [General and Fiscal Guidelines](#), Supplement, Not Supplant.

The supplement, not supplant provision does apply to this grant program.

Under IDEA, section 613(a)(2)(A)(ii) (34 CFR §300.202[a][3]) (supplement/not supplant), Part B funds must be used to supplement state, local, and other Federal funds and not to supplant those funds. If the LEA maintains (or exceeds) its level of local—or state and local—expenditures for special education and related services from year to year, either in total or per capita, then the Part B funds are, in fact, supplementing those local—or state and local—expenditures, and the LEA has met its maintenance of effort (MOE) and supplement/not supplant requirements.

(Before 1992, the Part B regulations also included a “particular cost test” for determining whether supplanting occurred. This requirement meant, for example, that if an LEA spent Part B funds to pay for a teacher’s salary that was previously paid for with state or local funds, a supplanting violation would occur, even though the total amount of state and local funds spent on special education is greater than the amount spent the previous year. At that time, an LEA could maintain effort but still violate the supplement/not supplant provision. The “particular cost test” was removed from the regulations by an amendment published in the Federal Register on August 19, 1992 (37 FR 37652), and that became effective on October 3, 1992. Therefore, no requirement currently exists related to supplanting “particular costs” and if an LEA maintains local—or state and local—effort, it will not violate the supplement/not supplant requirements of the IDEA.)

Excess Costs

This guidance on supplement not supplant pertains to costs for special education and related services. The excess cost requirement of 34 CFR §300.202(b)(1) stipulates that Part B funds must not be used to pay all of the costs directly attributable to the education of a child with a disability. Cost items that are used by all students should not be funded with Part B funds. For example, routine classroom furniture and equipment may not be funded with Part B funds. Adapted furniture and equipment are allowable items with Part B funds. Software curriculum that is used by all students should not be funded with Part B funds. Only supplemental software required by students with disabilities is allowable with Part B funds. However, services and aids that benefit students with disabilities may also benefit nondisabled students. Part B funds may be used for the costs of special education and related services, and supplementary aids and services, provided in a regular classroom or other education-related setting to a child with a disability in accordance with the Individualized Education Program (IEP) of the child, even if one or more nondisabled children benefit from these services (34 CFR §300.208[a][1]).

Any item that is used by all students cannot be split-funded with IDEA-B funds. The fund source used for general education students must be used for the entire cost of the item. IDEA-B funds may only be used for items that are supplemental to those used by all students and/or address the unique needs of the child that results from the child's disability. IDEA-B funds must be used only to pay the excess costs of providing special education and related services to children with disabilities and must not be used to pay for all the costs directly attributable to the education of a child with a disability.

According to 34 CFR §300.202(b)(2)(i), an LEA meets the excess cost requirement if it has spent at least a minimum average amount for the education of its children with disabilities before funds under Part B of the Act are used. An [Excess Cost Calculator tool](#) has been developed by TEA for use by the LEA. The calculation must be completed annually by the LEA based on previous year expenditures as soon as possible after submission of the final expenditure report. The calculation and supporting documentation must be maintained by the LEA and made available to auditors.

For practical purposes, the LEA may expend IDEA-B funds simultaneously with state, local, and other federal funds, provided that the minimum average amount per student is expended by the end of the school year with funds other than IDEA-B funds.

Indirect Costs

The grantee must use the restricted indirect cost rate for applicable programs. For these federally funded/state-funded grants, you must use the **lesser** of your current, approved indirect cost rate or 8%.

Refer to the Indirect Cost Instructions, Guidance, and Maximum Indirect Costs Worksheet on the Division of Grants Administration [Grants Management Resources](#) page for more information on indirect costs and the correlation to the supplement, not supplant provision.

Application Requirements and Assurances

This section describes the two types of requirements that applicants must address in the application (such as with a narrative description, an activity timeline, or a checklist) to be eligible to be considered for funding:

- Statutory requirements (requirements defined in the authorizing statute)

- TEA program requirements (requirements defined by TEA program staff)

Statutory Requirements

See the [General and Fiscal Guidelines](#), Statutory Requirements.

The following requirements are defined in the statute that authorizes this program. The applicant must address each of these requirements in the application to be considered for funding.

IDEA-B Formula/IDEA-B Formula Deaf

Federal regulations stipulate that each program must demonstrate that it meets the excess cost requirements of IDEA-B. The excess cost requirement prevents an LEA from using funds provided under Part B of the act to pay for all the costs directly attributable to the education of a child with a disability. An LEA meets the excess cost requirement if it has spent at least a minimum average amount for the education of its children with disabilities before funds under Part B of the act are used (34 CFR §300.202).

IDEA-B funds must be used to supplement and in no case to supplant the level of State and local funds expended for the education of students with disabilities. Explore all available fund sources before making a decision to expend IDEA-B funds.

Priorities for these funds are based on local needs.

The applicant agency is responsible for setting aside 25% of its tentative IDEA-B Formula base entitlement for residential placement costs. The 25% set-aside is applied to both related services and residential (room, board, and other daily care) costs. If the applicant agency fails to set aside the necessary 25%, it guarantees an equivalent amount of state and/or local funds to meet residential placement costs that may occur (19 Texas Administrative Code [TAC] 89.61[b][2][B]).

The 25% set-aside for a member district in an SSA will be calculated on the member district's tentative entitlement unless otherwise specified in the SSA agreement.

IDEA-B Preschool/IDEA-B Preschool Deaf

Federal regulations stipulate that each program must demonstrate that it meets the excess cost requirements of IDEA-B. The excess cost requirement prevents an LEA from using funds provided under Part B of the act to pay for all the costs directly attributable to the education of a child with a disability. An LEA meets the excess cost requirement if it has spent at least a minimum average amount for the education of its children with disabilities before funds under Part B of the act are used (34 CFR §300.202).

IDEA-B Preschool/IDEA-B Preschool Deaf funds must be used to supplement and in no case to supplant the level of state and local funds expended for the education of students ages 3–5 with disabilities. Explore all available fund sources before making a decision to expend IDEA-B funds.

These funds may not be used to provide any services to students before their third birthday. However, pre-assessments may be funded with IDEA-B Formula or IDEA-B Formula Deaf funds.

The priority for these funds is to provide all students with disabilities ages 3–5 with a comprehensive program that meets their individual needs. These funds allow an applicant agency to expand and extend services already available to these students.

IDEA-C Early Childhood Intervention Deaf

Funding is limited to eligible children birth through two years of age who have a hearing impairment that severely impairs the processing of linguistic information through hearing, with or without amplification, and adversely affects educational performance. Funds may be used for direct services for eligible children and their families that are not otherwise provided from other public or private sources, and for expanding and improving upon services for eligible children and their families that are otherwise available, consistent with 34 CFR §303.527.

To the maximum extent appropriate, early intervention services are provided in natural environments. Natural environments are settings that are natural or normal for the child's age peers who have no disabilities (34 CFR §303.18). The provision of early intervention services in a setting other than a natural environment may occur only if early intervention cannot be achieved satisfactorily for the infant or toddler in a natural environment (34 CFR §303.167).

IDEA-D Deaf-Blind

The priority for the use of these funds is to provide technical assistance to programs serving deaf-blind students.

These funds may be used to support projects to build the capacity of LEAs, parents, and professionals to improve outcomes for children and young adults who are deaf-blind and their families by providing technical assistance, information, and training on early intervention, special education, related services, and transitional services. Funds may be used to compile the Deaf-Blind census or to provide technical assistance and other indirect services to programs, agencies, and organizations serving deaf-blind students. These funds may not be used for direct early intervention, special education, or related services provided under Parts B and C of IDEA (Section 661 and CFDA 84.326C).

State Deaf

Funding is limited to eligible students birth through 21 years of age who have a hearing impairment that severely impairs the processing of linguistic information through hearing, with or without amplification, and adversely affects educational performance (TAC 89.1080).

SSVI

The TSBVI may expend these funds for statewide outreach services to students in local district programs. SSVI funds may be used only for special services uniquely required by the nature of the students' disabilities and may not be used in lieu of educational funds otherwise available (TEC 30.002[g]).

Schoolwide Programs

Description

IDEA permits an LEA to carry out a schoolwide program under Title I of the ESEA (34 CFR §300.206). Only IDEA-B Formula allows this activity within this consolidated application.

Refer to [Title I, Part A Policy Guidance](#) for information concerning Schoolwide Programs.

Refer also to the [Title I, Part A Statute, Section 1114](#) concerning schoolwide programs.

IDEA-B Requirements for Schoolwide Programs

The amount of IDEA-B funds used in any schoolwide program may not exceed the following:

The IDEA-B amount received by the LEA for that fiscal year divided by the number of children with disabilities in the jurisdiction of the LEA; and multiplied by the number of children with disabilities participating in the schoolwide program.

IDEA-B funds used in the schoolwide program must be considered as Federal Part B funds for the purposes of [Excess Cost](#) calculations.

Although IDEA-B funds will be used with the flexibility permitted for schoolwide programs, all other IDEA-B requirements, except as provided in paragraph (b) of 34 CFR §300.206, must be met, including both of the following:

1. Children with disabilities in schoolwide program schools must receive services in accordance with a properly developed IEP.
2. Children with disabilities in schoolwide program schools must be afforded all the rights and services guaranteed to children with disabilities under the Act.

IDEA-B funds may be combined in a Title I schoolwide campus budget, but the amount that may be combined is restricted to the proportion of funding for students with disabilities attending the schoolwide campus. If an applicant agency commits IDEA-B Formula funds to schoolwide programs, a narrative description must be included in Part 12: Schoolwide Programs of the Program Budget (BS6006). Refer to [Schoolwide Guidance](#).

TEA Program Requirements

See the [General and Fiscal Guidelines](#), Program Requirements.

In addition to the statutory requirements, TEA has established the following program requirements, also described in the application on Schedule PS3000—Program Requirements. Applicants must address within the application how they will answer the following:

1. If CEIS funds were reserved during the previous one to three years, the SC5100 CEIS Data Collection form must be submitted with this application. The deadline to submit the SC5100 form is November 30th.

Program-Specific Assurances

See the [General and Fiscal Guidelines](#), Provisions and Assurances.

The program-specific assurances for this grant program are listed in the SAS. Refer to Schedule CS7000—Provisions, Assurances, and Certifications.

Allowable Activities and Use of Funds

See the [TEA Guidelines Related to Specific Costs](#) for general guidance on allowable activities and use of funds.

Part B of the IDEA authorizes expenditures for to help LEAs ensure that children with disabilities, including children aged 3 through 21, have access to a free, appropriate public education to meet

each child's unique needs and prepare him or her for further education, employment, and independent living.

Part C of the IDEA authorizes expenditures for direct services that are not otherwise provided from other public or private sectors for eligible infants and toddlers who need early intervention services because they are deaf or hard of hearing, and their families.

Part D of the IDEA authorizes expenditures for technical assistance and dissemination to improve services and results for children who are deaf-blind and their families.

TEC 30.081–30.087 authorizes expenditures by regional day schools for the deaf to provide a suitable education to deaf or hard of hearing students who are under 21 years of age to assure that those students have the opportunity to become independent citizens.

TEC 30.002 authorizes expenditures to assure that students with visual impairments who are under 21 years of age have an opportunity for achievement equal to the opportunities afforded their peers with normal vision.

Allowable activities and use of funds for this grant may include but are not limited to the following:

Allowable activities and use of funds may include but are not limited to the following:

- IDEA-B funds may be used to provide compensatory services. Compensatory services are those services an LEA is required to provide due to the LEA's failure to provide special education and/or related services.
- Any item that is used by students cannot be split-funded with IDEA-B funds. The fund source used for general education students must be used for the entire cost of the item. IDEA-B funds may only be used for items that are supplemental to those used by all students and/or address the unique needs of the child that results from the child's disability. IDEA-B funds must be used only to pay the excess cost of providing special education and related services to children with disabilities and must not be used to pay for all costs directly attributable to the education of a child with a disability.
- LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period.

See the following sections for more information about allowable activities and use of funds.

Residential Set-Aside

Your agency (single-member program or special education SSA member district) is responsible for setting aside 25% of its tentative IDEA-B Formula base entitlement or an equivalent amount of State and/or local funds to support costs of residential placement for students in the single-member program or SSA (19 TAC 89.61[b][2][B]). The 25% set-aside for a member district in an SSA will be calculated on the member district's tentative entitlement unless otherwise specified in the SSA contract.

IDEA-D Deaf-Blind

IDEA-D Deaf-Blind funds must be used to promote academic achievement and to improve results for children with disabilities by providing technical assistance, model demonstration projects, dissemination of useful information, and implementation activities that are supported by scientifically based research. IDEA-D Deaf-Blind funds are limited to TSBVI.

IDEA-D Deaf-Blind funds may not be used for direct early intervention, special education, or related services provided under Parts B and C of IDEA.

IDEA-D Deaf-Blind projects must do the following:

- Identify and support specific activities to do the following:
 - Enhance State capacity to improve services and results for children who are deaf-blind.
 - Facilitate the achievement of systemic-change goals by improving education opportunities for children who are deaf-blind.
 - Focus on implementation of research-based best practices.
 - Ensure that service providers have the necessary skills to address the unique needs of children who are deaf-blind.
 - Address the needs of families of children who are deaf-blind.
- Maintain needs-assessment information to develop statewide priorities for technical assistance, information, and training across all age ranges by doing the following:
 - Collecting basic demographic information on children who are deaf-blind
 - Assessing the critical needs of these children
 - Assessing current needs of the State in providing services to children who are deaf-blind and to their families
- Develop and implement procedures to evaluate the impact of program activities on services and outcomes for children and young adults who are deaf-blind and for their families by doing the following:
 - Evaluating the effectiveness of strategies in achieving program goals and objectives
 - Including measures of change in outcomes for children
 - Consulting with the project's advisory committee regarding the development of the evaluation procedures
- Coordinate and collaborate with TEA and other relevant agencies and organizations, including other projects serving children who are deaf-blind under IDEA.

This activity includes specific collaboration activities with the National Clearinghouse on Deaf-Blindness and the Technical Assistance Consortium with Children and Young Adults with Deaf-Blindness.
- Disseminate effective practices and relevant information to families, service providers, LEAs, and agencies:
 - Provide OSEP-specified technical assistance to states

- Establish and maintain an advisory committee to assist in promoting project activities (CFDA 84.326C)

State Deaf

Direct instructional services, student assessment, related services, staff development, and other student services are permissible uses of State Deaf funds. Grantees are permitted to claim indirect costs. Grantees must use their approved restricted federal indirect cost rate or 15%, whichever is less, as the indirect cost rate for state-funded grants.

SSVI

SSVI funds must be expended on services that are unique to the needs of students who are blind or visually impaired (VI). Examples include but are not limited to the following:

- Salaries for VI teachers and orientation and mobility (O&M) instructors
- Unique vision assessments
- Substitute teachers for VI staff development
- Parent training
- Support of programs to recruit or train new VI teachers
- Staff development (in-state) in areas specific to the needs of students with visual impairments
- Stipends for staff travel costs for the above
- Assistive and adaptive technology
- Repair of equipment purchased with SSVI funds
- Braille transcribers or Braille production technology
- Support costs for ESC VI staff

The TSBVI is not permitted to claim indirect costs for this grant. The TSBVI must use its approved restricted federal indirect cost rate or 15%, whichever is less. The TSBVI must first submit a copy of its restricted federal indirect cost rate approved by its cognizant agency to the TEA Division of Federal Fiscal Compliance and Reporting, if it is not already on file with TEA.

Unallowable Activities and Use of Funds

See the [TEA Guidelines Related to Specific Costs](#) for general guidance on unallowable activities and use of funds.

Unallowable activities and use of funds for this grant may include but are not limited to the following:

- Administrative costs, including direct and indirect administrative costs (exception: State Deaf and IDEA-D funds)
- Audit services for state-funded grants
- Building purchase, construction, or alterations

TEA does not allow construction of new facilities or alteration of existing facilities with special education funds.

Site preparation costs for portable buildings or playground equipment, including ground leveling, installing or repairing foundations, plumbing, wiring, etc., are considered construction and are not allowable.

- IDEA-B funds must be used only to pay the excess cost of providing special education and related services to children with disabilities and must not be used to pay for all costs directly attributable to the education of a child with a disability.
- Expenditures that are not allowable for SSVI funds are those that do not support services unique to students with visual impairments, such as speech, physical, or occupational therapy; counseling; food; Recording for the Blind registration fees; and any expenditure not allowed for State funds. See Appendix A. Allowable and Unallowable Expenditures Expenditures and [Guidelines Related to Specific Costs](#) for more information.
- LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period.
- CEIS funds **may not** be used for universal screening instruments that are used to screen all students. Also, CEIS funds **may not** be used for evaluations that are intended for use in determining eligibility for special education and related services.

See Appendix A. Allowable and Unallowable Expenditures Expenditures.

Program Evaluation

By submitting this application, the applicant agrees to comply with any evaluation requirements that may be established by TEA and agrees to submit the required evaluation reports in the format and time requested by TEA. TEA will collect and analyze relevant data from PEIMS if it is available.

Federal Grant Requirements

Equitable Access and Participation

See the [General and Fiscal Guidelines](#), Equitable Access and Participation.

This requirement does apply to this federally funded grant program.

Private Nonprofit School Participation

See the [General and Fiscal Guidelines](#), Private Nonprofit School Participation.

This requirement does apply to this federally funded grant program.

Before preparing and submitting this application, applicants must consult private schools in the planning and development of the project. To the extent consistent with the number and location of children with disabilities who are parentally placed in elementary and secondary private schools located in the school district served by the LEA, provision is made for the participation of those children in the program assisted or carried out by IDEA-B by providing them with special education and related services (34 CFR 300.132). To ensure equitable participation, the IDEA requires that LEAs spend a proportionate amount of their portion of IDEA-B funds on providing services to parentally placed private school children with disabilities (34 CFR 300.133). Parentally placed

private school children with disabilities may receive a different amount of services than children with disabilities in public schools (34 CFR 300.138). No parentally placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school (34 CFR 300.137). Refer to the instructions for Schedule **PS3502—Private Nonprofit Schools Participation** for specific guidelines and instructions.

Use Schedule **PS3502—Private Nonprofit Schools Participation** to report participation of private school students with disabilities enrolled in private schools that are located within your organization's legal boundaries. This form is not applicable to open-enrollment charter schools or agencies providing only ECI programs. This form is not applicable if there are no private schools, including home schools, located within the legal boundaries of your organization. A shared services arrangement (SSA) may omit this schedule from the application only if none of the member LEAs have any private schools, including home schools, located within their boundaries.

This schedule is required if there are any private schools located within your organization's legal boundaries, including home schools. If you have such schools or students, but none are participating in the program, include this information on this schedule, along with the manner in which the schools were contacted.

In determining whether a school or entity is a private school, school districts must determine if the private school (1) is a *nonprofit entity*, (2) provides elementary or secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and (3) conducts formal reviews and documents student progress.

A home school is not required to be a nonprofit entity to be considered a private school. However, to be considered a private school, a home school must provide elementary or secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and must conduct formal reviews and document student progress.

Proportionate Share

The **PS3502—Private Nonprofit Schools Participation** form has a section that calculates the proportionate share of funds that must be expended on parentally-placed private school children with disabilities. During tentative entitlements at the beginning of the grant period, the PS3502 form will calculate the proportionate share amount based on the tentative entitlement amount. When maximum entitlements are released later during the school year, the PS3502 will recalculate the proportionate share amount based on the maximum entitlement amount. The PS3502 form must be re-saved when the LEA submits an amendment to budget for maximum entitlement. During this re-save, the LEA should not change any of their child count numbers since the numbers are always based on the last Friday of October from the previous school year. However, the LEA should make note of the new proportionate share amount that was automatically calculated based on maximum entitlements.

The LEA must make every effort to expend this proportionate share amount on parentally-placed private school children with disabilities. The cost of carrying out the child find requirements, including individual evaluations, may not be considered in determining if an LEA has met this obligation.

The LEA should maintain a log that identifies the services rendered and accounts for the time expended serving eligible students. To the degree necessary, the LEA employee paid from with proportionate share funds should also prepare a personnel activity report (i.e., time and effort). If

the services are performed by contracted personnel and the LEA receives invoices that are sufficiently detailed to enable the LEA to determine if the contractor is performing pursuant to the terms of the contract, then the log discussed above is not necessarily required by the contractor. However, it is a practice in many LEAs to maintain a log such as the one described above to ensure that the contractor in fact rendered the contracted services.

The amount of proportionate share funds the LEA must spend on providing special education and related services to parentally placed private school children with disabilities is based only on the number of children identified the last Friday in October of the previous year. The proportionate share funds are not calculated on students identified after that date during the year. For example, a child identified the last Friday in October of Year A would be used in the calculation of proportionate share funds to be spent in Year B. A child identified after the last Friday in October of Year A through the last Friday in October of Year B would be used in the calculation of proportionate share funds to be spent during Year C.

The count from the last Friday in October of the previous year is used to determine the **amount** of the proportionate share funds to be spent during the subsequent year. The count is not used to determine which parentally placed private school students with disabilities are to be served. Any parentally placed private school student with a disability may be considered for services. The services do not need to be limited to those children who were included in the count that determined the amount of proportionate share funds. If a parentally placed private school student with disabilities is identified after the last Friday in October of the previous year, the LEA is not prohibited from using its proportionate share funds to provide services for that student if the LEA has the proportionate share funds available and the students who were included in the calculation are not adversely affected.

If the LEA does not have proportionate share funds because no parentally placed private school children with disabilities were identified the last Friday in October of the previous year, the LEA is not obligated to provide special education and/or related services to a new child during the year in which there are no proportionate share funds.

Unused IDEA-B Proportionate Share Funds

In accordance with 34 CFR §300.133(a)(3); “If a Local Education Agency (LEA) has not expended for equitable services all of the funds described in paragraphs (a)(1) and (a)(2) of this section [proportionate share of funds to be expended on parentally-placed private school children with disabilities] by the end of the fiscal year for which Congress appropriated the funds, the LEA must obligate the remaining funds for special education and related services (including direct services) to parentally-placed private school children with disabilities during a carry-over period of one additional year.”

If, near the end of the carry-over year, it is apparent that all the proportionate share will not be expended, the funds may be expended by the LEA for other allowable costs for students with disabilities in the public schools. The particular circumstances of the LEA will determine how soon the LEA may use the proportionate share funds for the public school students. LEAs should take into consideration that the grant year does not end until September 30.

The LEA must be very diligent in its consultation process to ensure that every effort was made to use the proportionate share funds for special education and related services for parentally placed private school students with disabilities. The LEA must have documentation of the consultation activities that were conducted throughout the school year. If every effort was made to expend the funds on the parentally placed private school students with disabilities, the LEA may, at the end of

the carry over year, adjust its internal accounting records to transfer the unused proportionate share funds for expenditures for students with disabilities in public schools. If the proportionate share funds are not used or transferred by the end of the carry-over year, the proportionate share funds will lapse.

For further information on private nonprofit school participation, including instructions on calculating proportionate share, see the [guidance](#).

Consultation

Consultation must be timely, meaningful, and ongoing. To ensure that this occurs, an LEA must consult with private school representatives and representatives of parents of parentally-placed private school children with disabilities during the design and development of special education and related services for parentally-placed children regarding the following:

- The child find process, including both of the following:
 - How parentally-placed private school children suspected of having a disability can participate equitably
 - How parents, teachers, and private school officials will be informed of the process
- The determination of the proportionate share of Federal funds available to serve parentally-placed private school children with disabilities under 34 CFR 300.133(b), including the determination of how the proportionate share of those funds was calculated
- The consultation process among the LEA, private school officials, and representatives of parents of parentally-placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child find process can meaningfully participate in special education and related services
- How, where, and by whom special education and related services will be provided for parentally placed private school children with disabilities, including all of the following:
 - What types of services, including direct services and alternate service delivery mechanisms
 - How special education and related services will be apportioned if funds are insufficient to serve all parentally-placed private school children with disabilities
 - How and when those decisions will be made
- How, if the LEA disagrees with the views of the private school officials on the provision of services or the types of services, the LEA will provide to the private school officials a written explanation of the reasons why the LEA chose not to provide services directly or through a contract

When timely and meaningful consultation has occurred, the LEA must obtain a written affirmation signed by the representatives of participating private schools. Attendance sign-in sheets are not sufficient documentation for this affirmation.

If the representatives do not provide the affirmation within a reasonable period of time, the LEA must forward to TEA a description of the attempts the LEA made to obtain the private school representatives' written affirmation that timely and meaningful consultation occurred by attaching the Private Schools Consultation Process document to the eGrants application.

Funds, Property, Equipment, and Supplies

The LEA must control and administer the funds used to provide special education and related services to parentally-placed private school children with disabilities. The LEA must hold title to and administer materials, equipment, and property purchased with those funds for the uses and purposes provided in Part B of the Act. The LEA may place equipment and supplies in a private school for the period of time needed for the Part B program. The LEA must ensure that the equipment and supplies placed in a private school are used only for Part B purposes and can be removed from the private school without remodeling the private school facility. The LEA must remove equipment and supplies from a private school if the equipment and supplies are no longer needed for Part B purposes or if removal is necessary to avoid unauthorized use of the equipment and supplies for other than Part B purposes. No funds under Part B of the Act may be used for repairs, minor remodeling, or construction of private school facilities. An LEA may not use IDEA-B funds to finance the existing level of instruction in a private school or to otherwise benefit the private school. The LEA must use funds provided under Part B of the Act to meet special education and related services needs of parentally-placed private school children with disabilities, but not for meeting the needs of the private school or the general needs of the students enrolled in the private school.

Maintenance of Effort

See the [General and Fiscal Guidelines](#), Maintenance of Effort (MOE).

For a detailed discussion of issues related to the MOE requirement, see the IDEA-B LEA MOE Guidance Handbook, posted on the [IDEA-B MOE](#) page of the TEA website.

Note: LEAs are responsible for maintaining fiscal effort and for documenting MOE. TEA will verify each LEA's MOE using information obtained from the PEIMS database. TEA staff will notify the applicant of fiscal effort. LEAs that do not maintain fiscal effort will be liable for repayment of the amount by which the LEA failed to maintain fiscal effort, up to the amount of the LEA's IDEA-B Formula entitlement for the noncompliant year. This repayment must be made from nonfederal funds .

Caution

LEAs that seek to reduce MOE based on the flexibility option of 34 CFR 300.205 and use some of their IDEA-B funds for CEIS under 34 CFR 300.226 must do so with caution because the MOE reduction provision and the authority to use IDEA-B funds for CEIS are interconnected. The decisions that an LEA makes about the amount of funds that it uses for one purpose affect the amount that it may use for the other purpose. For examples that illustrate how 34 CFR 300.205 and 300.226 affect one another, refer to [Appendix D, Part 300—Maintenance of Effort and Early Intervening Services](#), as well as the IDEA-B Guidance Handbook: MOE and IDEA-B Guidance Handbook: CEIS, both posted on the [XXX](#) page of the TEA website.

Application Elements

This section describes the requirements and attachments that must be addressed in and included with the application.

Required Attachments

See the following sections of the [General and Fiscal Guidelines](#):

- Fiscal-Related Documentation Required to Be on File
- Required Fiscal-Related Attachments
- Required Program-Related Attachments

This section describes the two types of attachments that may be required to be submitted with the application: fiscal-related attachments and program-related attachments.

Required Fiscal-Related Attachments

See the [General and Fiscal Guidelines](#), Required Fiscal-Related Attachments, for a general description of fiscal-related documents that can be required as attachments to the application.

For a list of the fiscal-related attachments required for this grant application, refer to the Program Information section of the main eGrants page for this grant. Required attachments are notated “Attachment” in the list of RFA documents provided in the Program Information section.

Required Program-Related Attachments

The applicant must submit with the application any required attachments listed below.

1. If a position is listed in the **Other** field of the **BS6006—Program Budget Summary and Support, 6100 Payroll**, a job description must be attached.
2. If representatives of participating private schools have not provided to the LEA written affirmation that timely and meaningful consultation occurred (if the LEA selects **No** in **Part 8** of **PS3502—Private Schools Participation**), the Private Schools Consultation document must be attached, describing the attempts made by the LEA to obtain the private school representatives’ written affirmation.

Adding Attachments

Instructions describing how to attach files to an eGrants application are included in the eGrants User Guide, posted in the General Grant Resources section of the [Grants](#) page of the TEA website.

Reference Material and Appendixes

The following documents or attached materials contain additional information to assist with program requirements and compliance questions. Website links are given when available.

- The [Financial Accountability System Resource Guide](#)
- [Guidelines Related to Specific Costs](#)

Appendix A. Allowable and Unallowable Expenditures

Payroll Costs

Class/Object Code 6100

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development.

- All positions, full-time and part-time, require specific approval and must be entered in Part 3. Part-time and split-funded positions are counted as one position on this part.
- An employee of the applicant agency (that is, one for whom benefits are paid and income tax is withheld) is budgeted in 6100. Contracted service providers are budgeted in 6200.
- All personnel positions must be assigned specifically to special education.
- Teacher retirement and fringe benefits for program staff are allowable expenses.
- Staff may be used to train children who do not have disabilities to facilitate their participation with infants, toddlers, and children with disabilities in joint activities and to train employers and independent living personnel involved in transition of older students with disabilities.
- Substitutes must be paid according to the rate established in the applicant agency's policy. Substitutes may be paid for general classroom duty to allow regular staff to be trained to serve students with disabilities in the general classroom or to participate in Admission, Review, and Dismissal (ARD) committee meetings.
- A case management clerk performs duties related to administrative case management. Only these duties are allowable with special education funds. If other clerical duties are performed, the position must be split-funded.
- A teacher supervisor or lead teacher is a certified employee who provides supervision, guidance, and technical assistance to special education instructional staff. This position is not responsible for overall administrative functions. Please attach a job description for all Teacher Supervisor positions.
- Personnel supported with IDEA-B Formula Deaf, Preschool Deaf, and State Deaf funds must be assigned specifically to an RDSPD. If any non-RDSPD duties are performed, that position must be split-funded with another fund source.
- Personnel responsible for supervising an RDSPD must be certified in Deaf Education.
- Substitutes for Public and Charter School Personnel: These are defined as employees who provide instruction in the absence of special education personnel funded by this program or other special education staff attending ARD committee meetings or other professional activities and general education teachers attending special education staff development or participating in ARD committee meetings.
- Beyond Normal Work Hours/Extra-Duty Pay: This is defined as wages paid to special education employees for performing duties beyond the normal working day or for amounts above the LEA's standard pay for additional certification requirements, additional responsibilities, or recruitment and retention incentives for highly qualified teachers.
- RtI Personnel: Tier one usually applies to all students in a general education setting. Therefore, IDEA-B and CEIS funds should not be used for this tier. If Tiers two and three provide specialized group and/or individualized instruction for students determined to be at

risk for academic and/or behavioral problems, CEIS funds may be used for these tiers. (CEIS funds are for nondisabled students who need academic and/or behavioral supports to succeed in a general education environment.) If students who are receiving special education and related services participate in the small-group and/or individualized instruction of these tiers, CEIS funds may not be used for these students with disabilities. Costs must be split-funded to use IDEA-B funds for the students with disabilities and CEIS funds for the nondisabled, struggling students. If the same person provides services to both the nondisabled, struggling (CEIS) students and the students with disabilities, the person must be dually certified but cannot perform both the special education function and the CEIS function at the same time.

- **CEIS Personnel:** If an LEA uses IDEA-B funds for the purpose of CEIS, the LEA must report the number of students served (on the SC5100 report). Therefore, positions that do not directly benefit nondisabled, struggling students are not allowable. All CEIS positions must be entered in the Other section in Part 3: 6100 Payroll.
- **Summer Instruction:** Instruction during the summer may be provided with IDEA-B funds for the following reasons:
 - **Extended School Year (ESY), excess costs only:** ESY costs are allowable with IDEA-B funds, provided they are only the excess costs of providing ESY services (in excess of the amount received from State Funding). The ARD committee decides whether a child with a disability qualifies for ESY services. If the ARD committee determines that a child with a disability is in need of ESY services, the child's current individualized education program (IEP) must also include goals and objectives for ESY services. ESY is not limited to categories of disability. The decision to use ESY must be individualized, based on the criteria for the extended school year and not "one size fits all." A child with a disability qualifies for ESY services if, in one or more critical areas addressed in the child's current IEP, the child has exhibited or reasonably may be expected to exhibit severe or substantial regression that cannot be regained within a reasonable period of time.
 - **ARD committee decision:** If the ARD committee determines that summer instruction (other than ESY) is required to ensure a free, appropriate public education in the least restrictive environment, the cost of the summer instruction is allowable with IDEA-B funds. Progress reports toward IEP goals and objectives will be required. If a student with disabilities requires a significant amount of time to recoup critical skills, then the ARD committee should discuss whether the student needs ESY services during school breaks.
 - **Special Education Supplemental Services:** If a student voluntarily enrolls in summer instruction for credit recovery or credit acceleration, IDEA-B funds may only be used for the special education supplemental services that are required because of the child's unique needs related to the child's disability. Courses that do not require special education or related services are not eligible for IDEA-B funds.

It is important to keep in mind that IDEA-B funds are supplemental and should in no case supplant State, local, and other Federal funds. If a service is provided to all students, the same fund source must be used for the student with disabilities that is used for the nondisabled student.

IDEA-B funds cannot be used to fund summer school programs. The funds are limited to the purposes listed above. These funds may only be used to provide special education and related services to individual students who are enrolling in district-sponsored instructional programs.

PROGRAM GUIDELINES

Personnel who provide special education services at a summer program must be highly qualified and certified in special education. Providers of related services must hold appropriate licensure/certification.

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Personnel Positions						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Adapted Physical Education (APE) Teacher	Y	Y	N	N	N	N
Administrator, General Education	N	N	N	N	N	N
AI (Auditory Impairment) Teacher	Y	Y	Y	Y	Y	Y
Aide, Auditory Impairment	Y	Y	Y	Y	Y	Y
Aide, Bus	Y	Y	Y	Y	Y	Y
Aide, Extended School Year (ESY), excess cost only	Y	Y	Y	Y	Y	Y
Aide, Related Services	Y	Y	2	2	2	2
Aide, Special Education (Classroom Aide)	Y	Y	Y	Y	Y	Y
Aide, Transcription Services	Y	Y	Y	Y	Y	Y
ARD/IEP Facilitator	Y	Y	Y	Y	Y	N
Art Therapist	Y	Y	N	N	N	N
Audiologist	Y	Y	Y	Y	Y	Y
Behavior Specialist	Y	Y	2	2	2	2
Beyond Normal Work Hours/Extra Duty Pay	Y	Y	Y	Y	Y	Y
Case Management Personnel	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Personnel Positions						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
CEIS Personnel (only with CEIS funds)	Y	4	N	N	N	N
Certified Occupational Therapy Assistant (COTA)	Y	Y	N	N	N	N
Child Find Coordinator	Y	Y	Y	Y	Y	Y
COMS (Certified Orientation and Mobility Specialist)	Y	Y	2	2	2	2
Counselor	Y	Y	Y	Y	Y	Y
Deaf or Hard of Hearing (DHH) Teacher	Y	Y	Y	Y	Y	Y
Diagnostician	Y	Y	Y	Y	Y	Y
Director of Special Education	N	N	N	N	N	N
Early Intervening Services (CEIS) Personnel (only with CEIS funds)	Y	4	N	N	N	N
Educational Aide	Y	Y	Y	Y	Y	Y
Educational Diagnostician	Y	Y	Y	Y	Y	Y
ESY (Extended School Year) Personnel, Excess Cost Only	Y	Y	Y	Y	Y	Y
In-home Trainer	Y	Y	Y	Y	Y	Y
Interpreter for the Deaf	Y	Y	Y	Y	Y	Y
Job Coach	Y	N	Y	N	Y	N
Lead Teacher	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Personnel Positions						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
LSSP (Licensed Specialist in School Psychology)	Y	Y	Y	Y	Y	Y
LSSP Interns, supervised	Y	Y	Y	Y	Y	Y
Music Therapist	Y	Y	N	N	N	N
Nurse, School (supplemental services only)	Y	Y	N	N	N	N
Occupational Therapist	Y	Y	2	2	2	2
Paraprofessional Aide	Y	Y	Y	Y	Y	Y
Parent Counselor and Trainer	Y	Y	Y	Y	Y	Y
Parent Liaison	Y	Y	Y	Y	Y	Y
PEIMS Personnel, SPED only	Y	Y	N	N	N	N
Physical Therapist	Y	Y	2	2	2	2
Physical Therapy Assistant (PTA)	Y	Y	2	2	2	2
Recreational Therapist	Y	Y	N	N	N	N
Rtl (Response to Intervention) Personnel	3	3	N	N	N	N
School Nurse (supplemental services only)	Y	Y	N	N	N	N
Secretarial/Clerical Staff	N	N	N	N	5	N
SEMS/SERS Personnel	Y	Y	N	N	N	N
SLP (Speech and Language)	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Personnel Positions						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Pathologist)						
Social Worker	Y	Y	Y	Y	Y	Y
Special Education Director	N	N	N	N	N	N
Special Education Teacher	Y	Y	N	N	N	N
Speech Therapist	Y	Y	Y	Y	Y	Y
Substitute	Y	Y	Y	Y	Y	Y
Substitute for General Education Teacher Attending Special Education-Related Staff Development Activities or Participating in ARD Committee	Y	Y	Y	Y	Y	Y
Substitute for Service Provider Contracted under Class/Object Code 6200	N	N	1	1	1	1
Summer School Personnel	8	8	8	8	8	N
Teacher Supervisor	7	7	7	7	Y	7
Teacher, Adapted Physical Education (APE)	Y	Y	N	N	N	N
Teacher, Deaf or Hard of Hearing (DHH)	Y	Y	Y	Y	Y	Y
Teacher, Extended School Year (ESY), excess cost only	Y	Y	Y	Y	Y	Y
Teacher, Lead	Y	Y	Y	Y	Y	Y
Teacher, Special	Y	Y	N	N	N	N

Allowable and Unallowable Personnel Positions						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Education						
Teacher, VI	Y	Y	2	2	2	2
Technology Specialist, SPED only	Y	Y	2	2	2	2
Transcription Services Provider (CART, C-PRINT, TYPE-WELL)	Y	Y	Y	Y	Y	Y
Transition Coordinator	Y	Y	Y	Y	Y	Y
Tutor for CEIS (only with CEIS funds)	Y	4	N	N	N	N
Tutor for SPED	6	6	6	6	6	N
VAC (Vocational Adjustment Coordinator)	Y	N	Y	N	Y	N
VI Teacher	Y	Y	2	2	2	2

¹Allowable for deaf fund sources if for a certified interpreter

²Allowable for deaf fund sources with appropriate justification

³IDEA-B funds can be used only for students with disabilities. CEIS funds can be used only for nondisabled students who are struggling (in need of additional academic and/or behavioral supports to succeed in a general education setting).

⁴CEIS preschool funds may be used for CEIS services for nondisabled, struggling children grades K-12; CEIS funds may not be used for preschool children.

⁵Type Secretary/Clerk in the Other line of Part 3 and submit a job description. Allowable only with State Deaf funds.

⁶Tutoring (before school, after school, during school breaks) is an allowable cost with IDEA-B funds only if the need for tutoring is determined by the ARD committee as an educational need to meet the goals of the IEP. Progress reports toward IEP goals and objectives will be required. Tutors who provide special education services must be highly qualified and certified in special education.

If tutoring is not in the IEP, the same fund source used for nondisabled students must be used for the student with disabilities. If tutoring is used to help a student with disabilities struggling with required statewide assessment, the same fund source used for nondisabled students must be used for the student with disabilities. If the student with disabilities requires supplemental support while receiving tutoring services, the supplemental support can be paid from IDEA-B funds. Personnel providing the supplemental support must hold appropriate licensure/certification.

It is important to keep in mind that IDEA-B funds are supplemental and should in no case supplant

State, local, and other Federal funds. If a service is provided to all students, the same fund source must be used for the student with disabilities that is used for the nondisabled student.

⁷Allowable if not administrative. Requires a job description.

⁸See the section on Summer Instruction.

Professional and Contracted Services

Class/Object Code 6200

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development.

- All professional consulting services (6219) require specific approval, regardless of whether the services are short term, on a one-time basis, intermittent, long term, year-round, or ongoing.
- The 6200 cost items that do not require specific approval are summed in the Remaining 6200 field. Cost items that do not require specific approval include but are not limited to residential set-aside (6223), Education Service Center Services (6239), Contracted Maintenance and Repair of Equipment (6249), nonpublic day school tuition (6223), and RDSPD payments made to an RDSPD fiscal agent by a nonmember of the RDSPD SSA (6299).
- When an LEA makes a payment to another LEA for the provision of instructional services, the following applies to special education SSAs as well as to RDSPD SSAs: If the paying LEA is not a member of the SSA to which it is making payment, the payment is budgeted in class/object code 6299 (in the **Remaining 6200 Professional and Contracted Services That Do Not Require Specific Approval** section). If the paying LEA is a member of the SSA and is making a payment to the fiscal agent of its SSA, the payment is budgeted in class/object code 6492 (in the **Remaining 6400 Other Operating Costs That Do Not Require Specific Approval** section).
- You should not use or pay a consultant or contractor in the conduct of this application if the services to be rendered by the consultant or contractor could have been rendered by your employees. You must select consultants and contractors based on demonstrated competence, qualifications, and experience and on the reasonableness of the proposed fee.
- If the consultant or contractor lives in the same city as where the services are being provided, it is not allowable to pay travel costs. Travel costs are allowable if the services are provided in a city other than where the contractor is located. Travel expenses must be reasonable. For contracted services that are provided on a regular basis, such as physical therapy, the contract should indicate whether travel costs will be paid and stipulate the details, such as the mileage rate. Rates should not exceed the state rate. (See Guidelines Related to Specific Costs.) Meals should not be included unless the travel is overnight.
- RtI Contracted Services: Tier one usually applies to all students in a general education setting. Therefore, IDEA-B and CEIS funds should not be used for this tier. If Tiers two and three provide specialized group and/or individualized instruction for students determined to be at risk for academic and/or behavioral problems, CEIS funds may be used for these tiers. (CEIS funds are for nondisabled students who need additional academic and/or behavioral supports to succeed in a general education environment.) If students who are receiving special education and related services participate in the small-group and/or individualized instruction of these tiers, CEIS funds may not be used for these students with disabilities. Costs must be split-funded to use IDEA-B funds for the students with disabilities and CEIS

funds for the nondisabled, struggling students. If the same person provides services to both the nondisabled, struggling (CEIS) students and the students with disabilities, the person must be dually certified but cannot perform both the special education function and the CEIS function at the same time.

- **CEIS Providers:** If an LEA uses IDEA-B funds for the purpose of CEIS, the LEA must report the number of students served (on the SC5100 report). Therefore, contracted services that do not directly benefit nondisabled, struggling students are not allowable.

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Professional and Contracted Services						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Assessments/Evaluations (contracted)	Y	Y	Y	Y	Y	Y
Audiologicals (contracted)	Y	Y	Y	Y	Y	Y
Audit Costs Required under OMB Circular A-133	Y	Y	Y	Y	N	Y
Audit Costs/Services required by the state (Independent Audit) (not required under OMB Circular A-133)	N	N	N	N	N	N
Auditory Impairment (AI) Services (contracted)	Y	Y	Y	Y	Y	Y
Building Use Fee	N	N	N	N	N	N
CEIS Provider (contracted) (only from CEIS funds)	Y	4	N	N	N	N
Child Care for Parent Training	Y	Y	Y	Y	Y	Y
Consultants on Topics Not Specific to Special Education (contracted)	N	N	N	N	N	N
Curriculum Development for Special Education (contracted)	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Professional and Contracted Services						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Data Records Management System (contracted)	5	5	5	5	5	5
Deaf or Hard of Hearing (DHH) Services (contracted)	Y	Y	Y	Y	Y	Y
Diagnostic Evaluations (contracted)	Y	Y	Y	Y	Y	Y
Direct Services Provider, includes Travel and Per Diem (contracted)	Y	Y	2	2	2	2
Early Intervening Services (CEIS) Provider (contracted) (only with CEIS funds)	Y	4	N	N	N	N
Education Service Center (ESC) Services	Y	Y	Y	Y	Y	Y
Equipment Maintenance and Repair (contracted)	Y	Y	Y	Y	Y	Y
Evaluations (contracted)	Y	Y	Y	Y	Y	Y
Fees for Vocational Training	Y	N	Y	N	Y	N
Health Services (contracted)	Y	Y	N	N	N	N
Home-Bound Services (contracted)	Y	Y	Y	Y	Y	Y
Independent Audit Costs/Services required by the state (not required under OMB Circular A-133)	N	N	N	N	N	N
In-Home Training (contracted)	Y	Y	Y	Y	Y	Y
Interpreter (language translation or deaf)	Y	Y	Y	Y	Y	Y

PROGRAM GUIDELINES

Allowable and Unallowable Professional and Contracted Services						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
interpretation) (contracted)						
Keynote Speakers for Motivation or General/Regular Education Topics (contracted)	N	N	N	N	N	N
Legal Fees	N	N	N	N	N	N
Maintenance and Repair of Equipment (contracted)	Y	Y	Y	Y	Y	Y
Nonpublic Day School Tuition, Excess Costs	Y	N	N	N	N	N
Nurse/Health Services (contracted)	Y	Y	N	N	N	N
Office Rent	N	N	N	N	N	N
Outside Rental Space for Staff Development or Unique Special Ed Instruction and Instructionally Related Activities (e.g. vocational training or independent living skills)	Y	Y	Y	Y	Y	Y
Parent Liaison (contracted)	Y	Y	Y	Y	Y	Y
Parent/Private Transportation Contract	Y	Y	Y	Y	Y	Y
Professional Staff Development/Training for Special Education Topic, Includes Travel and Per Diem (contracted)	Y	Y	Y	Y	Y	Y
Program Evaluator (contracted)	Y	Y	2	2	2	2

Allowable and Unallowable Professional and Contracted Services						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Psychiatric Treatment and Medical Treatment (contracted)	N	N	N	N	N	N
Publication and Printing Costs (contracted)	Y	Y	Y	Y	Y	Y
RDSPD Fees/Tuition1	Y	Y	N	N	N	N
Related Services Provider, Includes Travel and Per Diem (contracted)	Y	Y	2	2	2	2
Residential Set Aside (25%)	Y	N	N	N	N	N
Rtl (Response to Intervention) Personnel	3	3	N	N	N	N
Social Work Services (contracted)	Y	Y	Y	Y	Y	Y
Staff Development Consultant for Special Education topics, Includes Travel and Per Diem (contracted)	Y	Y	Y	Y	Y	Y
Technology Specialist (contracted)	Y	Y	2	2	2	2
Transcription Services Provider (CART, C-PRINT, TYPE-WELL) (contracted)	Y	Y	Y	Y	Y	Y
Transportation contract (parent/private)	Y	Y	Y	Y	Y	Y
Universal Screening Instrument Used Only to Monitor the Progress of Nondisabled, Struggling Students (only with CEIS funds)	Y	4	N	N	N	N

Allowable and Unallowable Professional and Contracted Services						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Universal Screening Instrument Used to Test All Students	N	N	N	N	N	N
Visual Impairment (VI) Services (contracted)	Y	Y	2	2	2	2
Vocational Training Fees	Y	N	Y	N	Y	N

¹Must be assigned specifically to an RDSPD for accounting purposes. This pertains to payments to the RDSPD by nonmember districts of the SSA or payments to the RDSPD for AI services for a non-RDSPD student (e.g. ARD Committee representation)

²Allowable for deaf fund sources with appropriate justification (Use the same allowability criteria used for 6100 payroll positions.)

³IDEA-B funds can be used only for students with disabilities. CEIS funds can be used only for nondisabled students who are struggling (in need of additional academic and/or behavioral supports to succeed in a general education setting).

⁴CEIS preschool funds may be used for CEIS services for nondisabled, struggling children grades K-12; CEIS funds may not be used for preschool children.

⁵Allowable data management systems may be coded to either 6200, 6300, or 6600 depending on the specific circumstances of the transaction. Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period. The LEA should consult the FAR Module of the FASRG or contact the Division of Federal Fiscal Monitoring at 512-463-9918 for guidance on classifying codes.

Supplies and Materials

Class/Object Code 6300

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development.

- Expenditures for items costing less than the capitalization threshold (noncapitalized items) are recorded in **Part 6: Supplies and Materials**. Capitalized equipment is an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that equals or exceeds \$5,000 or the capitalization level established by the applicant agency for financial statements. List capitalized items in **Part 10: Capital Outlay**.

Note: Items listed under 6649 class/object code that have an acquisition cost less than \$5,000 and are not capitalized must be budgeted under the class/object code 6300.

- Costs associated with operating an advisory council or committee require specific approval. This requirement may include supplies and materials such as printing and postage.
- Noncapitalized technology hardware and software require specific approval. They are to be listed on this schedule. Write in the type of item and briefly describe the purpose. **Do not use brand names.**
- Allowable software and data management systems may be coded to either 6200, 6300 or 6600, depending on the specific circumstances of the transaction. Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). The LEA should consult the [FAR Module of the FASRG](#) or contact the Division of Federal Fiscal Monitoring at 512-463-9918 for guidance on classifying codes.
- An amendment must be submitted if the applicant adds a new item of noncapitalized technology hardware, software, or any CEIS cost items, including CEIS supplies and materials. If the applicant increases the quantity of a previously approved cost item, an amendment is not required.
- LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period.
- IDEA-B funds can only be expended to meet the unique educational needs of an eligible child to enable that child to receive specially designed instruction towards IEP objectives. Routine supplies, materials, software, equipment, furniture, etc., are not allowable. Allowable costs must meet the excess cost requirement of 34CFR 300.202.
- Noncapitalized technology hardware, technology software, supplies, and materials, used for CEIS require specific approval.

Note: Struggling, nondisabled students who benefit from these items must be counted and tracked on the **SC5100 CEIS Data Collection** form.

- Consult the applicable set of cost principles (OMB Circulars A-87, A-122, or A-21) for a list of allowable items.
- Typical allowable items that do not require specific approval include but are not limited to the following:
 - Instructional supplies and materials that meet the unique needs of students with disabilities
 - Supplies and materials for training or staff development related to special education
 - Instructional equipment and furniture that meet the unique needs of students with disabilities and are not capitalized
 - Awards or incentives for participation (token “wages”—noncash incentives)

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Supplies and Materials						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Assistive Technology Equipment (noncapitalized)	Y	Y	Y	Y	Y	Y
Auditory Trainers (noncapitalized)	Y	Y	Y	Y	Y	Y
Books for College Credit for Staff	N	N	N	N	N	N
Calculators (noncapitalized) only if supplemental and not provided for all students	Y	Y	N	N	N	N
Cameras or Camcorders for Activities Unique to SPED (not provided to all classrooms) (noncapitalized)	Y	Y	Y	Y	Y	Y
CEIS Technology Hardware, Software, Supplies, and Materials (noncapitalized) only with CEIS funds	Y	4	N	N	N	N
Cellular Phones (noncapitalized)	3	3	3	3	3	3
Classroom Supplies, Routine	N	N	N	N	N	N
Clothing, Uniforms or Shoes	N	N	N	N	N	N
Copiers (noncapitalized)	3	3	3	3	3	3
Computer Hardware/Software & Peripherals for Administrative or Clerical Use (noncapitalized)	N	N	N	N	N	N
Computer Hardware/Software & Peripherals for Assessment (noncapitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals for CEIS, only with CEIS funds (noncapitalized)	Y	4	N	N	N	N
Computer Hardware/Software & Peripherals for Case Management, Data Collection, Record Keeping, SPED only	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Supplies and Materials						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
(noncapitalized)						
Computer Hardware/Software & Peripherals and Adaptive Devices for Student Use, SPED Only; Must be supplemental to those provided by LEA to all students (noncapitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals for SPED Teacher Use; Must be supplemental to those provided by LEA to all teachers (noncapitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals to Teach Computer Literacy (noncapitalized)	N	N	N	N	N	N
Core Curriculum Software Materials (noncapitalized)	N	N	N	N	N	N
Costs Associated with Operating an Advisory Council or Committee (including postage)	Y	Y	Y	Y	Y	Y
Credit Recovery Software Materials (noncapitalized)	N	N	N	N	N	N
Data Management System (noncapitalized)	5	5	5	5	5	5
Drop-out Prevention Software	N	N	N	N	N	N
DVD Players for Instructional Activities Unique to SPED (noncapitalized)	Y	Y	Y	Y	Y	Y
EIS (CEIS) Technology Hardware/Software (noncapitalized) only with CEIS funds	Y	4	N	N	N	N
Equipment, Instructional, Unique to SPED Only (noncapitalized)	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Supplies and Materials						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Eyeglasses (noncapitalized)	N	N	N	N	N	N
FAX Machine for Administrative or Clerical Use (noncapitalized)	N	N	N	N	N	N
FAX Machine for Case Management/Assessment/ARD Meetings; Must Be Supplemental (noncapitalized)	Y	Y	Y	Y	Y	Y
Food and Beverages	1	1	1	1	1	1
Food That Implements IEP Objectives	Y	Y	Y	Y	Y	Y
Furniture, Instructional, Unique to SPED Only (noncapitalized)	Y	Y	Y	Y	Y	Y
Hearing Aids (noncapitalized) (loaner hearing aids for in-school use are allowable)	N	N	N	N	N	N
Improvements Which Materially Increase Value or Useful Life of Noncapitalized Assets, If Purchased Originally with Applicable Fund Source	Y	Y	Y	Y	Y	Y
Individually Prescribed Prosthesis or Equipment (noncapitalized)	N	N	N	N	N	N
Interactive White Boards—Only if LEA does not provide white boards for all classrooms (noncapitalized)	Y	Y	Y	Y	Y	Y
Laminators for Routine Office Use (noncapitalized)	N	N	N	N	N	N
Laminators for Specialized Instruction (noncapitalized)	Y	Y	Y	Y	Y	Y
Life Skills Appliances, Equipment, Furniture (noncapitalized)	Y	Y	Y	Y	Y	Y
Loaner Hearing Aids (in school	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Supplies and Materials						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
only) (noncapitalized)						
Medically Prescribed Equipment (noncapitalized)	N	N	N	N	N	N
Office and Clerical Supplies, Routine	N	N	N	N	N	N
Office Furniture or Equipment (noncapitalized)	N	N	N	N	N	N
Personal Data Assistant (PDA) for special education—Only if LEA does not provide PDAs for general education (noncapitalized)	3	3	3	3	3	3
Physical Therapy/Occupational Therapy Equipment (noncapitalized)	Y	Y	2	2	2	2
Playground Equipment (adaptive for SPED) (Site prep costs are not allowable) (noncapitalized)	Y	Y	N	N	N	N
Portable Building						
Requires Specific Approval (noncapitalized) - see Part 11	Y	Y	2	2	2	N
Postage (allowable only for Advisory Council or Committee)	N	N	N	N	N	N
Printers (noncapitalized)	3	3	3	3	3	3
Printing Materials, SPED Only	Y	Y	Y	Y	Y	Y
Professional Books and Magazines, Unique to SPED Only	Y	Y	Y	Y	Y	Y
Projectors (noncapitalized)	3	3	3	3	3	3
Routine Classroom Furniture (noncapitalized)	N	N	N	N	N	N
Routine Classroom Supplies	N	N	N	N	N	N
Routine Office Supplies	N	N	N	N	N	N

Allowable and Unallowable Supplies and Materials						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Scanners (noncapitalized)	3	3	3	3	3	3
Servers Dedicated to SPED Case Management (noncapitalized)	Y	Y	Y	Y	Y	Y
Software Packages for Core Curriculum, Credit Recovery, or Drop-Out Prevention (noncapitalized)	N	N	N	N	N	N
Software Packages Unique to SPED (noncapitalized)	Y	Y	Y	Y	Y	Y
State Adopted Textbooks	N	N	N	N	N	N
Supplemental Textbooks/CDs/DVDs	Y	Y	Y	Y	Y	Y
Supplies and Materials for CEIS, Only with CEIS Funds (noncapitalized)	Y	4	N	N	N	N
Supplies and Materials for Instructional, Assessment, and Staff Development Activities, SPED Only (noncapitalized)	Y	Y	Y	Y	Y	Y
Televisions for Instructional Activities Unique to SPED (noncapitalized)	Y	Y	Y	Y	Y	Y
Token “Wages” (noncash Incentives only)	Y	Y	Y	Y	Y	Y
Wheelchairs (in school use only) (noncapitalized)	Y	Y	N	N	N	N
Whiteboards, Interactive—Only if LEA does not provide whiteboards for all classrooms (noncapitalized)	Y	Y	Y	Y	Y	Y

¹See Guidelines Related to Specific Costs

²Allowable for deaf fund sources with appropriate justification

³Allowable only with appropriate justification (Routine office equipment is not allowable.)

⁴CEIS preschool funds may be used for CEIS services for nondisabled, struggling children grades K-12; CEIS funds may not be used for preschool children.

⁵Allowable. Data management systems may be coded to either 6200, 6300, or 6600 depending on the specific circumstances of the transaction. Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period. The LEA should consult the FAR Module of the FASRG or contact the Division of Federal Fiscal Monitoring at 512-463-9918 for guidance on classifying codes.

Other Operating Costs

Class/Object Code 6400

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development.

- Indemnification (compensation for loss or damage) requires specific approval, including securing the LEA against liabilities to third persons and other losses not compensated by insurance or otherwise.
- Actual losses that could have been covered by permissible insurance obtained through sound business practices require specific approval. Actual losses that occur in the ordinary course of operations for nominal costs not covered under a deductible or for minor losses not covered by insurance are allowable without specific approval.
- Membership dues in civic or community organizations are not allowed. Memberships in organizations substantially engaged in lobbying and memberships in social organizations are not allowed. Membership dues in business, technical, and professional organizations are allowable only if the memberships are in the LEA's name. Individual memberships are not allowed.
- Travel costs for the superintendant, director, or local school board members require specific approval and are allowable only when such costs are directly related to the grant. Travel costs cannot exceed the state rate.
- Travel costs or other operating expenses for members of an advisory council or committee require approval. Travel costs cannot exceed the state rate.
- Travel costs for CEIS training/professional development require specific approval. Nondisabled, struggling students who are served by personnel who participate in professional development activities supported with CEIS funds must be counted and tracked on the **SC5100 CEIS Data Collection** form. Travel costs cannot exceed the state rate.
- Stipends for nonemployees require approval only for nonprofits, including open-enrollment charter schools operated by a nonprofit organization.
- All travel for nonemployees or in-state or out-of-state travel for students, including registration fees, require specific approval only for nonprofits, including open-enrollment charter schools operated by a nonprofit organization. Travel costs cannot exceed the state rate.
- Publication and printing costs (reimbursed) require specific approval only for nonprofits, including open-enrollment charter schools operated by a nonprofit organization.

- Costs for participation in Special Olympics are permissible expenses with IDEA-B funds. IDEA-B funds may only be used for registration fees, extra-duty pay for staff (6100), transportation, and travel expense (mileage, hotel, and meals—not to exceed the State rate). Costs of uniforms or equipment are not allowable with IDEA-B funds.
- Student employment: The cost of employment of students with disabilities by the LEA (34 CFR §300.107(b)) is allowable with IDEA-B funds only if the employment is related to or in addition to the student’s course of study and in conjunction with the student’s transition plan. The general supplement not supplant requirement for IDEA funds in 34 CFR §300.202(a)(3) states that funds provided to LEAs under Part B of the IDEA must be used to supplement State, local, and other Federal funds and not to supplant those funds. If an LEA chooses to use IDEA-B funds to employ students with disabilities for instructional purposes, it must comply with the nonsupplant requirement.

If the LEA benefits from the services provided by the students with disabilities, IDEA-B funds cannot be used. Instead, the LEA must use the same fund sources used to employ students who are not disabled.

Factors that would indicate that the LEA benefited from the services include but are not limited to the following:

- Regular employees have been displaced.
- Vacant positions have been filled with the participants rather than with regular employees.
- Regular employees have been relieved of assigned duties.
- Participants are performing services that, although not ordinarily performed by employees, are clearly of benefit to the LEA.
- Placements of participants are made to accommodate the labor needs of the LEA rather than according to the requirements of the student’s IEP.

The Fair Labor Standards Act (FLSA) defines the term “employ” as “suffer or permit to work.” Detailed guidelines have been developed by the Federal government to help employers determine employment vs. educational relationships, child labor requirements of the FLSA, as well as Internal Revenue Service reporting requirements. It is the responsibility of the LEA to consult and follow Federal and State laws and regulations.

- Typical items that are required to operate the program on a daily basis do not require specific approval. Indicate the sum of all remaining 6400 costs in the Remaining 6400 box. Typical items include but are not limited to the following:
 - Insurance required or pursuant to the grant award and in accordance with LEA policy and sound business practice
 - Contribution to a reserve for employee self-insurance programs (subject to specific provisions outlined in OMB Circulars A-87, A-122, or A-21, respectively)
 - Travel expenses for project staff or for project participants (must not exceed the state rate)
 - Conference registration fees
 - Membership dues in business, professional, or technical organizations
 - Membership must be in the name of the LEA or open-enrollment charter school, not in the name of the individual.

- RDSPD payments made to an RDSPD fiscal agent by a member of the RDSPD SSA (6492)
 - Transportation
 - Newspaper advertisements
- When an LEA makes a payment to another LEA for the provision of instructional services, the following applies to special education SSAs as well as to RDSPD SSAs: If the paying LEA is **not** a member of the SSA but is making a payment to the fiscal agent of an SSA, the payment is budgeted in class/object code 6299 (in the **Remaining 6200 Professional and Contracted Services That Do Not Require Specific Approval** section). If the paying LEA is a member of the SSA and is making a payment to the fiscal agent of its SSA, the payment is budgeted in class/object code 6492 (in the **Remaining 6400 Other Operating Costs That Do Not Require Specific Approval** section).

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Other Operating Costs						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Child Care for Parent Training	Y	Y	Y	Y	Y	Y
Co-curricular and Extracurricular Expenses, Travel and Per Diem (includes Special Olympics)	Y	Y	Y	Y	Y	Y
Conference Registration Fees for Special Education Training Events	Y	Y	Y	Y	Y	Y
Educational Field Trip Transportation	Y	Y	Y	Y	Y	Y
EIS (CEIS) Travel, Registration, and Per Diem to Attend CEIS Related Training	Y	Y	N	N	N	N

Allowable and Unallowable Other Operating Costs						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
Events, only with CEIS funds						
Extracurricular Expenses, Travel and Per Diem	Y	Y	Y	Y	Y	Y
In-district/SSA Staff Travel	Y	Y	Y	Y	Y	Y
Insurance and Indemnification	Y	Y	Y	Y	Y	Y
Media Advertisement for Child Identification	Y	Y	N	N	N	Y
Membership Dues in Business, Professional, or Technical Organizations (only in name of LEA or charter school; not in name of individual)	Y	Y	Y	Y	Y	Y
Membership Dues in Civic or Community Organizations	N	N	N	N	N	N
Newspaper Advertisements Related to Special Education	Y	Y	Y	Y	Y	Y
1Nonemployee Stipends (includes student	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Other Operating Costs						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Child-hood Intervention Deaf
employment)						
Out-of-State Travel, Must Be Reasonable and Event Unavailable In-State	Y	Y	N	N	N	N
Publication and Printing Costs	Y	Y	Y	Y	Y	Y
3RDSPD Fee/Tuition	Y	Y	N	N	N	N
Special Olympics (registration fees, transportation and/or travel and per diem)	Y	Y	Y	Y	Y	Y
Stipends for nonemployees	Y	Y	Y	Y	Y	Y
1Student Employment	Y	N	Y	N	Y	N
Transportation Costs, Nonstudents	Y	Y	Y	Y	Y	Y
Transportation Costs, Students with Disabilities, Excess Costs Only	Y	Y	Y	Y	Y	Y
Travel, Registration, and Per Diem to Attend Special Education Training Events	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Other Operating Costs						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	IDEA-B Formula Deaf	IDEA-B Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention Deaf
(Including Joint Training for Regular and Special Educators on Topics Pertaining to the Education of Students with Disabilities)						
Tuition/Books for College Credit	2	2	2	2	2	2

¹See program guidelines related to student employment

²IDEA-B funds can be used to provide tuition and books or stipends for established special education teachers to acquire additional courses to become highly qualified. In this case, the LEA must have a Highly Qualified Continuous Improvement Plan that addresses this need. (There is another fund source that may be used instead of IDEA-B funds for deaf education certification. ESC 17, in collaboration with Texas Tech University, has a nontraditional online deaf education certification program. See <http://www.esc17.net/default.aspx?name=sped.deafed>.)

IDEA-B funds may also be used for general education teachers to become certified in special education if the teachers will be assigned to teach special education once they become certified.

IDEA-B funds cannot be used to provide tuition and books or stipends for individuals whose purpose is to obtain a degree.

IDEA-B funds may be used for tuition and books or stipends for special education personnel to attend a college course for professional development. The professional development is also allowable for general education personnel, provided the course focuses on special education, regardless of whether the general education teacher will be assigned to teach special education or remain in general education.

In using these funds for college courses, it is important to keep in mind the federal cost principles that costs must be reasonable and necessary. For example, it may be more cost effective to have a consultant provide professional development to multiple teachers at one time rather than to pay for one teacher to attend a college course.

In all these cases, if books are purchased with these funds, the books remain the property of the LEA and cannot be considered the personal property of the individual who took the course.

³Must be assigned specifically to an RDSPD for accounting purposes. This pertains to payments made to the RDSPD by a member of the SSA.

Debt Service

Class/Object Code 6500

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development. All items require specific approval.

This class/object code is used to request payment of principal for items to be lease-purchased. The lease-purchase must cover parts of at least two grant periods.

- Capital Lease-Principal (6512) is the budgeted amount for the principal cost for the current school year for long-term lease-purchases.
- Capital Lease-Interest (6522). Interest may not be paid from federal special education funds. Only the principal cost of a portable building may be requested from federal funds. Lease-purchase of a portable building is allowed only for unique special education instruction or instructionally related activities. Site preparation costs for a portable building are not allowable.
- When State Deaf funds are used for lease-purchase, only the principal may be paid from these funds.
- LEAs may lease or lease-purchase adapted buses. A lease contract may not be for fewer than two years nor more than ten years. General information related to the lease or lease-purchase of school buses can be found in TEC 34.009(j).
- Property Description includes campus number, contract dates, and total value of the property.
 - Campus Number: Type the campus number (or central office) where the lease-purchase item will be located. If for an SSA application, include the name of the member LEA where the item will be located.
 - Contract Dates: Type the beginning and ending dates of the lease-purchase contract.
 - Property Value: Type the total principal cost as reflected on the contract for all years (life of the contract) for each item to be lease-purchased. Do not include interest.

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Debt Service						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Adapted Bus Lease-Purchase	1	1	1	1	1	N
Portable Building Lease—Purchase for Unique	Y	Y	2	2	2	N

Allowable and Unallowable Debt Service						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Special Ed. Instruction or Instructionally Related Services Only (e.g., Vocational Training, Independent Living Skills)						

¹LEAs may lease or lease-purchase adapted buses to meet the transportation needs of students with disabilities whose IEPs include transportation as a related service. This bus should not be used to transport nondisabled students. Buses that transport nondisabled students may not be leased or lease-purchased with special education funds. The IDEA does not require LEAs to transport children with disabilities in separate vehicles, isolated from their peers. In fact, many children with disabilities can receive the same transportation provided to nondisabled children, consistent with the least restrictive environment requirements in 34 CFR §§300.114 through 300.120. According to Kenai Peninsula (Ak) Borough Sch. Dist., 20 IDELR 673 (OCR 1993), when the student with disabilities’ transportation needs can be met on the regular education bus, the student should not be placed on the special education bus simply because he or she is disabled.

In the OSEP Letter to Lutjeharms, 20 IDELR 180 (OSEP 1993), the Office for Special Education Programs concluded that in limited circumstances it is possible for a non-IDEA qualifying child to access an IDEA-B funded school bus, e.g., a nondisabled sibling of a student with a disability rides the special education bus with their sibling. Very strict circumstances apply. Firstly, the vehicle would have to make the same trip and incur the same expense whether or not the nondisabled child was riding the bus. Secondly, the nondisabled child could not displace a child with a disability from the vehicle. Finally, the district cannot try to use the IDEA-B funds to purchase (or lease or lease-purchase) or operate vehicles that are too large for the intended purpose of providing transportation to children with disabilities in order to provide seating capacity on those vehicles for nondisabled children, thereby avoiding cost allocations from other sources of funds.

This exception for limited circumstances does not imply that an LEA may lease or lease-purchase a bus with special education funds to transport all students. If an LEA leases or lease-purchases a bus with IDEA-B funds to transport all children, the LEA would be violating the supplement not supplant requirements of IDEA-B.

²Allowable for deaf funds sources with appropriate justification

Capital Outlay

Class/Object Code 663X/6649

This chart is not intended to be all-inclusive but is designed to provide examples for both program and budget development. All items require specific approval.

- *Capital expenditure* means the cost of the asset, including the cost to put it in place. Capital expenditure for equipment means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it was acquired.

Capitalization threshold is the \$5,000 or the capitalization level established by the applicant agency for financial statements, whichever is less.

Equipment means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that equals or exceeds the capitalization threshold. Equipment with costs that meet or exceed the capitalization threshold and has a useful life of more than one year requires specific approval and must be requested in this class/object code.

Expenditures for items costing less than the capitalization threshold should be recorded under class/object code 6399 **Part 6: Supplies and Materials.**

- Allowable software and data management systems may be coded to either 6200, 6300 or 6600, depending on the specific circumstances of the transaction. Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). The LEA should consult the [FAR Module of the FASRG](#) or contact the Division of Federal Fiscal Monitoring at 512-463-9918 for guidance on classifying codes.
- LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the appropriate grant period.
- IDEA-B funds can only be expended to meet the unique educational needs of an eligible child to enable that child to receive specially designed instruction towards IEP objectives. **Routine cost items are not allowable.** Allowable costs must meet the excess cost requirement of 34 CFR 300.202.

Consult the applicable set of cost principles (OMB Circulars A-87, A-122, or A-21) for a list of allowable items.

- A portable building, where the cost does not include site preparation, is considered equipment and should be listed in this class/object code, unless it is part of a capital lease listed in **Part 8: 6500 Debt Service.**
- Site preparation for a portable building, including ground leveling, sidewalk installation, electrical wiring, plumbing, etc., is considered to be construction. Construction costs are not allowed.

Reminder: Special education funds cannot be used to meet Americans with Disabilities Act (ADA) compliance requirements (for example, wheelchair ramps, wide toilet seats, etc.).

- Improvements that materially increase the value or useful life of equipment or other capital assets must be requested in this class/object code. An improvement is defined as a betterment to an existing asset that results in increased productivity, better service, or longer life.

PROGRAM GUIDELINES

663X improvements should only be made to items that are used to meet the unique educational needs of special education students to enable them to receive specially designed instruction toward IEP objectives.

- A description of how capital outlay will be used is not required for buses adapted for students with disabilities or for library books and media.
- An amendment is required for adding any new capitalized cost item or increasing the quantity of a previously approved cost item. The applicant agency may not purchase a greater quantity than the quantity approved on the support schedule.

Note: Items listed below that have an acquisition cost less than \$5,000 and do not meet the LEA's capitalization threshold must be budgeted under class/object code 6300.

Legend: Y=Allowable, N=Not Allowable

Allowable and Unallowable Capital Outlay						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Adapted Bus	6	6	6	6	6	N
Assistive Technology Equipment (capitalized)	Y	Y	Y	Y	Y	Y
Auditory Trainers (capitalized)	Y	Y	Y	Y	Y	Y
Books for College Credit for Staff	N	N	N	N	N	N
Bus for SPED Students	6	6	6	6	6	N
Calculators (capitalized) Only if supplemental and not provided for all students	Y	Y	N	N	N	N
Cameras or Camcorders for activities unique to SPED (not provided to all classrooms) (capitalized)	Y	Y	Y	Y	Y	Y
CEIS Technology Hardware and Technology Software (capitalized) Only with CEIS funds	Y	4	N	N	N	N
Cellular Phones (capitalized)	3	3	3	3	3	3
Clothing, Uniforms or Shoes (capitalized)	N	N	N	N	N	N
Copiers (capitalized)	3	3	3	3	3	3

Allowable and Unallowable Capital Outlay						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Computer Hardware/Software & Peripherals for Administrative or Clerical Use (capitalized)	N	N	N	N	N	N
Computer Hardware/Software & Peripherals for Assessment (capitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals for CEIS, Only with CEIS Funds (capitalized)	Y	4	N	N	N	N
Computer Hardware/Software & Peripherals for Case Management, Data Collection, Record Keeping, SPED Only (capitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals and Adaptive Devices for Student Use, SPED Only (capitalized); must be supplemental to those provided for or used by all students	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals for SPED Teacher Use; Must be supplemental to those provided by LEA to all teachers (capitalized)	Y	Y	Y	Y	Y	Y
Computer Hardware/Software & Peripherals to Teach Computer Literacy (capitalized)	N	N	N	N	N	N
Core Curriculum Software (capitalized)	N	N	N	N	N	N
Credit Recovery Software (capitalized)	N	N	N	N	N	N
Data Management System (capitalized)	7	7	7	7	7	7

Allowable and Unallowable Capital Outlay						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Drop-out Prevention Software	N	N	N	N	N	N
DVD Players for Instructional Activities Unique to SPED (capitalized)	Y	Y	Y	Y	Y	Y
EIS (CEIS) Technology Hardware/Software; Only with CEIS Funds (capitalized)	Y	4	N	N	N	N
Equipment, Instructional, Unique to SPED Only (capitalized)	Y	Y	Y	Y	Y	Y
Eyeglasses (capitalized)	N	N	N	N	N	N
FAX Machine for Administrative or Clerical Use (capitalized)	N	N	N	N	N	N
FAX Machine for Case Management/Assessment/ARD Meetings; Must Be Supplemental (capitalized)	Y	Y	Y	Y	Y	Y
Furniture, Instructional, Unique to SPED only (capitalized)	Y	Y	Y	Y	Y	Y
Hearing Aids (capitalized) (Loaner hearing aids for in-school use are allowable.)	N	N	N	N	N	N
Improvements Which Materially Increase Value or Useful Life of Capital Assets, If Purchased Originally with Applicable Fund Source	Y	Y	Y	Y	Y	Y
Individually Prescribed Prosthesis or Equipment (capitalized)	N	N	N	N	N	N
Interactive white boards (capitalized) Only if LEA does not provide white boards for all classrooms	Y	Y	Y	Y	Y	Y

Allowable and Unallowable Capital Outlay						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Laminators for routine office use (capitalized)	N	N	N	N	N	N
Laminators for Specialized Instruction (capitalized)	Y	Y	Y	Y	Y	Y
Life Skills Appliances, Equipment, Furniture (capitalized)	Y	Y	Y	Y	Y	Y
Loaner Hearing Aids (in school only) (capitalized)	Y	Y	Y	Y	Y	Y
Medically Prescribed Equipment (capitalized)	N	N	N	N	N	N
Office Furniture or Equipment (capitalized)	N	N	N	N	N	N
Personal Data Assistant (PDA) for Special Education; Only if LEA does not provide PDAs for general education (capitalized)	3	3	3	3	3	3
Physical Therapy/Occupational Therapy Equipment (capitalized)	Y	Y	2	2	2	2
Playground Equipment (Adaptive for SPED) (Site prep costs are not allowable.) (capitalized)	Y	Y	N	N	N	N
Portable Building; Requires Specific Approval (capitalized) See Part 11	Y	Y	2	2	2	N
Printers (capitalized)	3	3	3	3	3	3
Professional Books and Magazines, Unique to SPED Only	Y	Y	Y	Y	Y	Y
Projectors (capitalized)	3	3	3	3	3	3
Routine Classroom Furniture (capitalized)	N	N	N	N	N	N

Allowable and Unallowable Capital Outlay						
Expenditure Items	IDEA-B Formula	IDEA-B Pre-school	Formula Deaf	Pre-school Deaf	State Deaf	IDEA-C Early Childhood Intervention (Deaf)
Scanners (capitalized)	3	3	3	3	3	3
Servers Dedicated to SPED Case Management (capitalized)	Y	Y	Y	Y	Y	Y
Software Packages for Core Curriculum, Credit Recovery, or Drop-Out Prevention (capitalized)	N	N	N	N	N	N
Software Packages Unique to SPED (capitalized)	Y	Y	Y	Y	Y	Y
State Adopted Textbooks	N	N	N	N	N	N
Supplemental Textbooks/CDs/DVDs	Y	Y	Y	Y	Y	Y
Televisions for Instructional Activities Unique to SPED (capitalized)	Y	Y	Y	Y	Y	Y
Vehicles for SPED students	5	5	5	5	5	N
Wheelchairs (in school use only) (capitalized)	Y	Y	N	N	N	N
White boards—Only if LEA does not provide whiteboards for all classrooms (capitalized)	Y	Y	Y	Y	Y	Y

²Allowable for deaf fund sources with appropriate justification

³Allowable only with appropriate justification (Routine office equipment is not allowable.)

⁴CEIS preschool funds may be used for CEIS services for nondisabled, struggling children grades K-12; CEIS funds may not be used for preschool children.

⁵Allowable. Passenger vehicles for transporting students with disabilities to and from school (including to and from community-based instruction or to and from Regional Day School Programs for the Deaf) are allowable. According to Texas Transportation Code Section 541.201, a passenger vehicle is designed to accommodate 10 or fewer passengers, including the operator. Therefore, the passenger vehicle purchased with special education funds must not exceed a manufacturer’s seating capacity of 10 (including the driver). A bus is designed for carrying more than 10 persons and meets the stringent school bus safety standards issued by the federal government and recommended by the National Standards Conference on School Transportation. If the LEA needs to transport ten or more children, a bus must be used instead of a passenger vehicle. It is not allowable to purchase or use a personal vehicle designed or rated by the manufacturer with a seating capacity of more than 10 persons (including the driver) to transport students.

⁶Allowable. Buses must be necessary and reasonable for proper and efficient performance and administration of the IDEA. LEAs may purchase adapted buses to meet the transportation needs of students with disabilities whose IEPs include transportation as a related service. This bus should not be used to transport nondisabled students. Buses that transport nondisabled students may not be purchased with special education funds. The IDEA does not require LEAs to transport children with disabilities in separate vehicles, isolated from their peers. In fact, many children with disabilities can receive the same transportation provided to nondisabled children, consistent with the least restrictive environment requirements in 34 CFR §§300.114 through 300.120. According to Kenai Peninsula (Ak) Borough Sch. Dist., 20 IDELR 673 (OCR 1993), when the student with disabilities' transportation needs can be met on the regular education bus, the student should not be placed on the special education bus simply because he or she is disabled.

In the OSEP Letter to Lutjeharms, 20 IDELR 180 (OSEP 1993), the Office for Special Education Programs concluded that in limited circumstances it is possible for a non-IDEA qualifying child to access an IDEA-B funded school bus, e.g., a nondisabled sibling of a student with a disability rides the special education bus with their sibling. Very strict circumstances apply. Firstly, the vehicle would have to make the same trip and incur the same expense whether or not the nondisabled child was riding the bus. Secondly, the nondisabled child could not displace a child with a disability from the vehicle. Finally, the district can't try to use the IDEA-B funds to purchase or operate vehicles that are too large for the intended purpose of providing transportation to children with disabilities in order to provide seating capacity on those vehicles for nondisabled children, thereby avoiding cost allocations from other sources of funds.

This exception for limited circumstances does not imply that an LEA may purchase a bus with special education funds to transport all students. If an LEA purchases a bus with IDEA-B funds to transport all children, the LEA would be violating the supplement not supplant requirements of IDEA-B.

⁷Allowable. Data management systems may be coded to either 6200, 6300 or 6600, depending on the specific circumstances of the transaction. Failure of the LEA to properly classify the cost may result in an unfavorable audit finding. Approval of budgeted costs on the grant application pertains only to the allowability of the activity/cost item and not its calculation (unit cost multiplied by quantity) or accounting treatment (class/object category). LEAs may not obligate or expend grant funds for multi-year software subscriptions or multi-year maintenance fees, because these business arrangements provide a benefit for a period longer than the grant period. However, the cost of a perpetual license is allowable as long as the maintenance fee associated with the perpetual license is paid annually during the grant period. The LEA should consult the FAR Module of the FASRG or contact the Division of Federal Fiscal Monitoring at 512-463-9095 for guidance on classifying codes.

Building Purchase, Construction, or Improvements

Class/Object Code 6629

TEA does not allow construction of new facilities or alteration of existing facilities with special education funds.

Site preparation costs for portable buildings or playground equipment is considered construction and is not allowable.