



## Illinois State Board of Education

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### Use of IDEA Part B Funds for Coordinated Early Intervening Services

*Updated September 2012*

In accordance with the IDEA 2004 regulations at 34 CFR § 300.224, school districts may use up to 15 percent of IDEA Part B flow-through funds to develop and implement coordinated early intervening services (CEIS) for students in grades K-12 not identified as needing special education or related services but who need additional academic and behavioral support to succeed in the general education environment. Any LEA found to have significant disproportionality based on race and ethnicity in the identification of children as children with disabilities or the educational placement or discipline of these children **must** set aside 15 percent of its total IDEA Part B (611 and 619) flow-through funds for this purpose (34 CFR § 300.646(b)(2)). For districts with significant disproportionate representation in identification of children with disabilities, these funds must be set aside even if the significant disproportionality is not the result of inappropriate identification.

The purpose of this document is to provide guidance to school districts on the allowable use of IDEA flow-through funds for CEIS and the requirements for earmarking funds for this purpose within IDEA flow-through e-Grant applications.

#### *Use of Funds Parameters*

When using IDEA Part B funds for CEIS, either voluntarily or because they are required to do so, districts must adhere to certain requirements set forth in the federal regulations at 34 CFR §§ 300.226 and 300.646, as well as other parameters established by ISBE (in alignment with the federal regulations), as delineated below.

1. Activities (34 CFR § 300.226(b)): The Illinois State Board of Education (ISBE) has determined that funds earmarked for CEIS can be used for the purposes delineated below.
  - a. Delivery of professional development (which may be provided by entities other than the LEA) to:
    - i. Enable teachers and other school staff to deliver scientific, research-based academic and behavioral interventions, including scientifically-based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software.
    - ii. Provide information and training for parents.

Professional development content may include, but is not limited to, the following:

- The problem-solving process and data-based decision making.

- A multi-tiered instruction and intervention model, including review and evaluation of Tier 1 (core) curricula and instruction (particularly in reading and math) and whole-group interventions and development and delivery of Tier 2 and Tier 3 interventions.
  - Design and delivery of scientific, research-based interventions, including implementation integrity/fidelity.
  - Student progress monitoring.
  - Positive Behavior Interventions and Supports (PBIS).
- b. Provision of educational and behavioral evaluations and assessments, services, and supports, including scientifically-based literacy instruction, as discussed below.
- i. Evaluation and assessment of students may include the purchase of data-based progress-monitoring tools/systems, e.g., DIBELS, AIMSweb.
  - ii. Provision of services and supports may include the purchase of intervention resources. All services and supports, including intervention resources, should supplement and be directly linked to the core curriculum, be evidence- or scientifically, research-based and provide for frequent progress monitoring.

Funds allocated for provision of services may include salaries of staff to serve as district- and/or building-level problem solving coaches, provide interventions or complete other activities directly associated with the provision of CEIS. However, funds may not be used to supplant salaries of existing staff.

2. Target Population: In accordance with 34 CFR § 300.226(a), districts that are required to set aside 15 percent of IDEA Part B flow-through funds for CEIS due to significant disproportionality in special education identification, EE placements, and/or discipline must ensure that the funds are used to provide services to students in grades K-12 who are not identified as needing special education and related services, but who need additional support to succeed in the general education environment. While students with Individualized Education Programs (IEPs) can benefit from CEIS, the district must ensure that any participation of such students in IDEA Part B-funded CEIS does not have the result of increasing costs or preventing other at-risk students who do not have IEPs from receiving CEIS. The requirements discussed in this paragraph also apply to districts that voluntarily set aside up to 15 percent of IDEA Part B funds for CEIS.

In accordance with 34 CFR § 300.646(b)(2), those districts that are required to set aside 15 percent of their IDEA Part B flow-through funds for CEIS due to significant disproportionality in special education identification, EE placements, and/or discipline must also ensure that the funds are used to serve children particularly, but not exclusively, in those racial/ethnic groups that were significantly overrepresented.

3. Reporting Requirements: In accordance with 34 CFR § 300.226(d), districts that are required to or that voluntarily set aside IDEA Part B flow-through funds for CEIS must annually collect and report to ISBE the following data:
  - a. The number of children served who received CEIS in a given year and
  - b. The number of children who received CEIS during the preceding two-year period and subsequently receive special education and related services in the current year.
4. Supplement vs. Supplant: Funds allocated for CEIS may not be used to supplant activities and services funded by other federal sources.

#### *IDEA Flow-Through Budgets*

Districts that elect or are required to use a percentage of their IDEA Part B flow-through funds to provide CEIS must clearly earmark funds for this purpose in their IDEA Part B grant applications. For assistance with incorporating CEIS and expenditures in the grant application, districts should contact their assigned IDEA Part B grant coordinator (Tammy Greco, Felicia Malloy, or Dawn Camacho) at 217-782-5589. Please note: If a district is a member of a special education joint agreement, we recommend working with the joint agreement to complete this process.

When adding CEIS activities to the district e-Grant application, the Early Intervening Services section of the application must be completed. Within that section, it is necessary to provide a detailed listing of proposed activities and estimated costs. Costs must match what is delineated in the Budget Detail page and cannot exceed 15 percent of the district's total IDEA Part B allocation for the relevant fiscal year.

All proposed IDEA Part B grant activities and fund allocations associated with providing CEIS must meet the parameters delineated under the preceding section. ISBE approval of the proposed use of funds is required prior to implementing the associated activities, regardless of whether a district has elected or is required to use funds for this purpose.