


**Contingency Funds  
2018-19**

Dr. Del Hart  
Chief  
Division of Analysis and Financial Reporting



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**Contingency Funds 2018-19**

**Applications**

Open - November 19, 2018  
Close - January 4, 2019

Only accepted through the online Contingency Fund website.



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**Contingency Funds 2018-19**

**Applications and the IEP**

The IEP, in effect for the school year, in which the expenses were incurred, must be submitted on the date, the application is submitted.



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Contingency Funds 2018-19

### Applications – General Information

Contingency Fund applications are submitted for the prior school year, 2017-18; and must meet the minimum threshold of \$75,000 for total eligible expenses, in order to be considered.

All expenses listed are for the 2017-18 school year, and must be extraordinary special education program expenses. Section(e). 24 PS §25-2509.8



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Contingency Funds 2018-19

### Examples of Extraordinary Expenses

- Transportation.
- Services related to occupational therapy, physical therapy, speech, and language.
- Hearing or visual impairments.
- Training in orientation and mobility for students who are visually impaired or blind.



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Contingency Funds 2018-19

### Application Requirements

- Brief background of the student.
- Extraordinary, educational needs of the student.
- Least restrictive environment.



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Contingency Funds 2018-19

### Brief Background

- Provide a description of the student and the extraordinary, educational needs.
- Individual history must be detailed, in support of the application.

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Contingency Funds 2018-19

### Extraordinary, Educational Needs

- Describe the extraordinary, educational needs of the student.
- Describe the degree (amount) of service.
- Describe the reasons why the degree of service is needed.
- Please be specific.

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Contingency Funds 2018-19

### Least Restrictive Environment

- Describe the rationale for the Least Restrictive Environment.
- List detailed information for one time, only, expenses related to LRE. (special training for personnel, costs related to establishing a new class, etc.).

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Contingency Funds 2018-19

### Eligible Expenditures

Must be clearly indicated on the IEP.



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Contingency Funds 2018-19

### Eligible Expenditures - Examples

Proportional expenses of the special education teacher (the teacher's actual salary and benefits divided by the number of students assigned to the teacher).

Proportional costs of the teacher's aide, assigned to the special education class, including specific benefits.

Full cost of an aide/personal care assistant, assigned to the student.



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### Eligible Expenditures - Examples

- Specialized staff training, specific to the student. Such training must be itemized and documented.
- Consultation.
- Nontraditional therapies.



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Contingency Funds 2018-19

Eligible Expenditures - Examples

Medical expenses that are specific to the student.

- One to one nursing service.
- Proportional (prorated hourly) time of the school nurse.

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Contingency Funds 2018-19

Eligible Expenditures - Examples

- Therapy – occupational, physical, speech and language, vision, and hearing.
- Orientation & Mobility training
- One to one paraprofessional assignment.

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Contingency Funds 2018-19

Eligible Expenditures (cont.)

When calculating therapy expenditures, use actual expenditures, per unit of time.

Individual, per hour, and group prorated rates, should reflect the amount of services, stated on the IEP.

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Eligible Expenditures (cont.)

Tuition expenditures will be accepted for I.U. programs and private programs, including Approved Private Schools (not 4010 approved students).

Residential expenditures are an ineligible expenditure.



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Contingency Funds 2018-19

Eligible Expenditures (cont.)

Transportation expenditures:

- Extraordinary, such as wheelchair accessible, or other serious health-related measures.
- Transportation outside the LEA.
- Must be itemized and prorated for the individual student.



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Contingency Funds 2018-19

Eligible Expenditures (cont.)

Describe eligible expenditures in the narrative sections.

If a prorated expenditure appears to be very high, provide an explanation for the expenditure's calculation.



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Contingency Funds 2018-19

### Application Tips

- Do not scan and upload the application pages, only the IEP, when requested.
- Do not upload the NOREP.

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Contingency Funds 2018-19

### Application Tips (cont.)

A state subsidy is built into the application and will automatically be deducted in the calculations.

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Contingency Funds 2018-19

### Award Information

- The most costly, individual applications will receive funding priority.
- Only applications that are over \$75,000 after deductions, will be considered for funding.
- Not all eligible applications will be funded.

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Contingency Funds 2018-19

Award Information (cont.)

- The award process will continue until all available funds are expended.
- The maximum award value is \$150,000.

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Award Information (cont.)

Eligible costs between \$75,000 and \$99,999 will be multiplied by an Aid Ratio, which is based upon the district's wealth.

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Aid Ratio

A measure of district wealth will be applied to applications below \$100,000 prior to final disbursement.

The Aid Ratio is based upon sales of taxable real estate, personal income, and the district's weighted average daily membership (WADM).

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### Award History - 2017

- 69 LEAs received funding.
- 32 LEAs received the maximum award of \$150,000.
- 21 LEAs received the maximum award with one application.

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Contingency Funds 2018-19

### Additional Information

Contingency Fund Guidelines for Extraordinary  
Special Education Program Expenses  
2018-19

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Contingency Funds 2018-19

### Website

<https://apps.lead erservices.com/cfunds>

### Username and Password assistance

[cfunds@lead erservices.com](mailto:cfunds@lead erservices.com)

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Contingency Funds 2018-19

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[dehart@pa.gov](mailto:dehart@pa.gov)

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Bureau of Special Education  
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[smears@pa.gov](mailto:smears@pa.gov)



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Contingency Funds 2018-19

For more information on Contingency Funds, please visit PDE's website at [www.education.pa.gov](http://www.education.pa.gov)

*The mission of the department is to academically prepare children and adults to succeed as productive citizens. The department seeks to ensure that the technical support, resources and opportunities are in place for all students, whether children or adults, to receive a high quality education.*



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**APSEM System**

Pennsylvania Department of Education  
Bureau of Special Education

Holly Fan  
717-346-9644  
zfan@pa.gov




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**APSEM**

- **Approved Private School Electronic Management System**
- Electronic processing for 4010 funding students enrolled in Approved Private Schools (APSs) or Chartered Schools for the Deaf and Blind (CSDB).

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**APS/CSDB General Information**

- Approved Private Schools (APSs) and Chartered Schools for Deaf and Blind --- Brief Summary
- Serves complex needs students
- Members of APS
- APS/CSDB Directory and information can be found on the PDE website

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### APSEM Data Information

- Imported 4010 students information from old LEAPS to APSEM
- Converted the 2008-2009SY through 2014-2015 SY deduction data from the old LEAPS to APSEM
- PASECredID data populated as individual student information in APSEM
- LEAs can update 4010s and 4011s for SY18-19 or earlier

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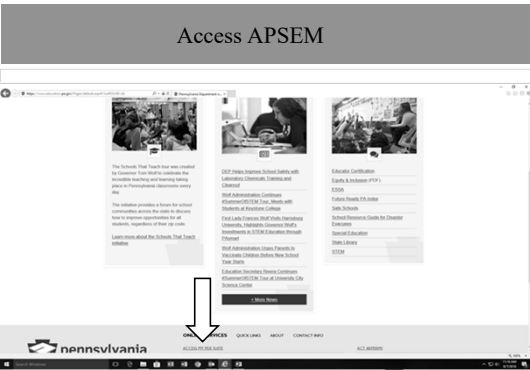
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### Access APSEM



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### Access APSEM



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### Access APSEM



The screenshot shows a web browser window with the URL [www.education.pa.gov](http://www.education.pa.gov). The page title is "Access APSEM". The main content area displays the "APSEM User Login Screen" with a "username:" field and a "password:" field. A white arrow points to the "username:" field. Below the fields are "Forgot your password?" and "Register" links. The footer includes the Pennsylvania Department of Education logo and the website address [www.education.pa.gov](http://www.education.pa.gov).

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### LEA Functions

- Create 4010
- 4011 Request for Change in Approved Private School Assignment
  - A. Withdrawal
  - B. Change in Program
  - C. Change in LEA or MAWA
  - D. Name Change
  - E. Cancellation
  - F. Ward of State Change

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### LEA Functions Continued

- 4010 Enrollment Report
- 4010 Enrollment Deductions
- 4010 Enrollment Search
- Receive Notifications

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**APS/CSDB Functions**

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- Create Calendar
- 4010 Enrollment Search
- 4010 Enrollment Report
- View Organization Cost
- Receive Reminders and Notifications

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**APS/CSDB Functions Continued**

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- View Active 4010&4011Requests
- 4011 Review
  1. Approve (Agree)
  2. Reject (Disagree)
  3. Request Change

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**Guidelines for Determining the Financially Responsible School District**

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- Definitions:  
  
School District of Residence --- Where the parent resides  
Host District --- Where the facility/APS is located  
APS --- Approved Private School

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Guidelines for Determining the Financially Responsible School District Continued

• Section 1301

Any child being a resident of any school district may attend the public schools in the child's district.

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Horizontal lines for notes

Guidelines for Determining the Financially Responsible School District Continued

• Section 1302

A child residing with a resident supporting the child gratis...such child shall be entitled to all free school privilege accorded to resident school children of the district....

The Uncle's school district is financially responsible for the cost.

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Horizontal lines for notes

Guidelines for Determining the Financially Responsible School District Continued

• Section 1305

Non resident foster child entitled to privileges accorded to resident children

The foster parents' school district is financially responsible.

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Horizontal lines for notes

**Guidelines for Determining the Financially Responsible School District Continued**

• Section 1306

Student residing in a residential facility located outside the district of residence

The parents' school district of residence is financially responsible.



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**Guidelines for Determining the Financially Responsible School District Continued**

• Section 1376

Where any child is enrolled in an APS the school district where the child is a resident shall assume financial responsibility



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**Guidelines for Determining the Financially Responsible School District Continued**

- Charter schools are treated equal to LEAs, and financially responsible for placing a child in an APS/CSDB.
- State pays 100% for early intervention students. No deduction from the LEAs. Parents' residence LEA initiates the 4010.
- For Ward of state students, State pays 100% as well.



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### Procedure Changes

- No hard copy 4010 needed.
- No more Attendance Verification letter
- No more May 10<sup>th</sup> deduction letter
- PDE-4008 packet no longer applicable
- No more monthly enrollment reports
- No more calendar letter through Pennlink
- Aged out students
- Early intervention students' 4010 enrollment

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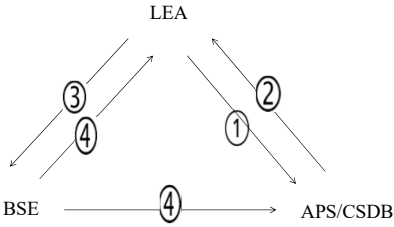
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### APSEM 4010 Workflow



```
graph TD; LEA -- 3 --> BSE; LEA -- 4 --> APS[APS/CSDB]; BSE -- 4 --> APS; APS -- 1 --> LEA; LEA -- 2 --> APS;
```

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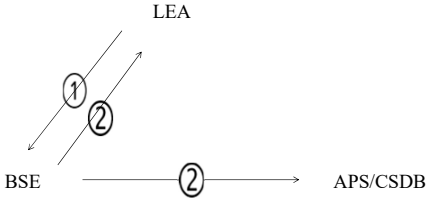
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### APSEM 4011 Name Change Workflow



```
graph TD; LEA -- 1 --> BSE; LEA -- 2 --> APS[APS/CSDB]; BSE -- 2 --> APS;
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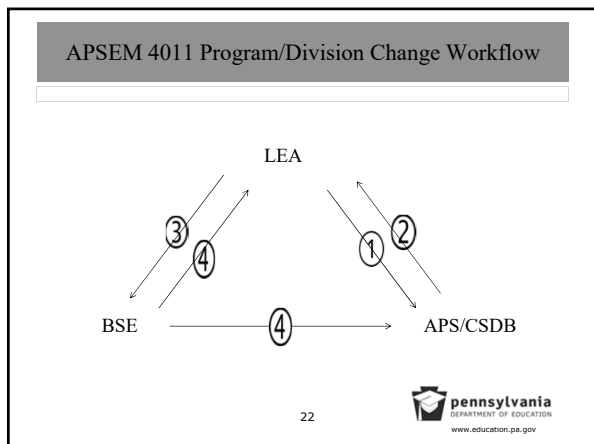
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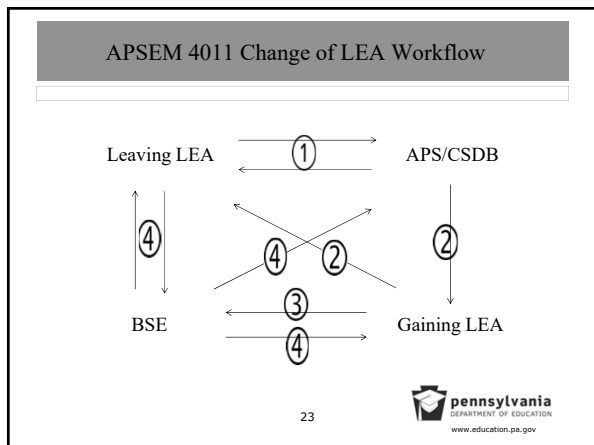
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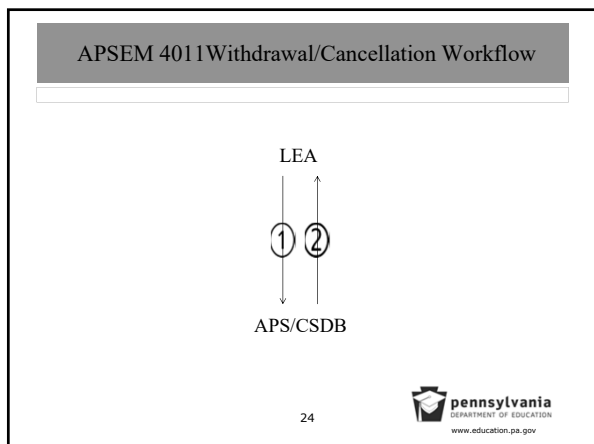
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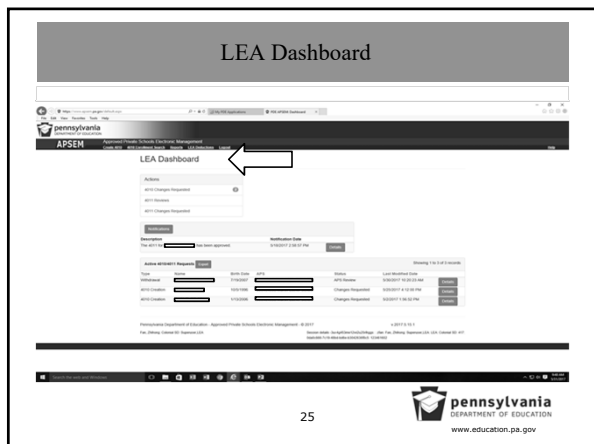
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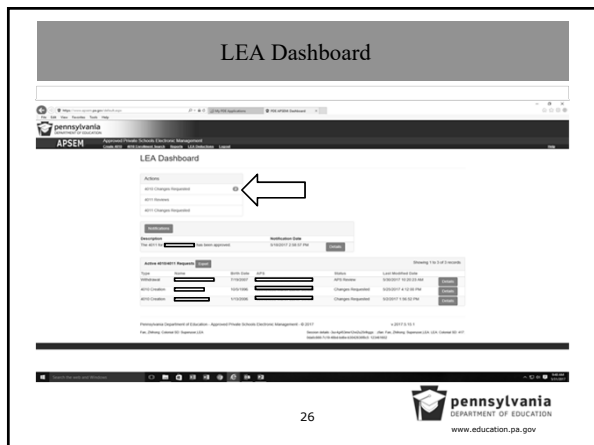
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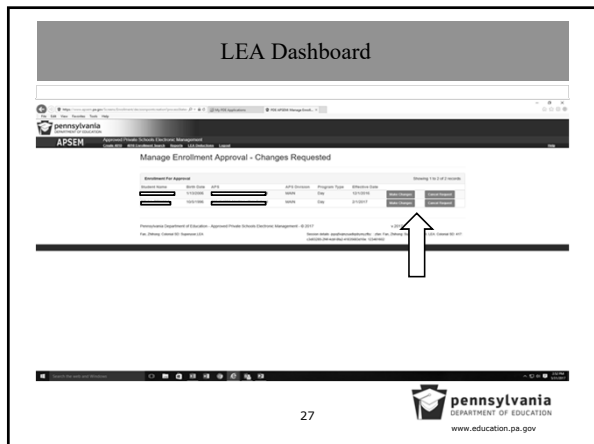
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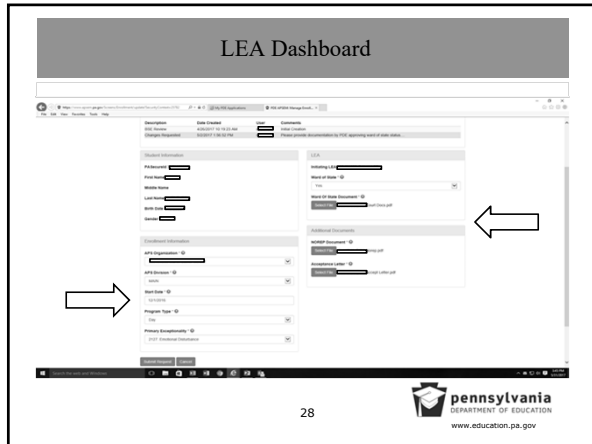
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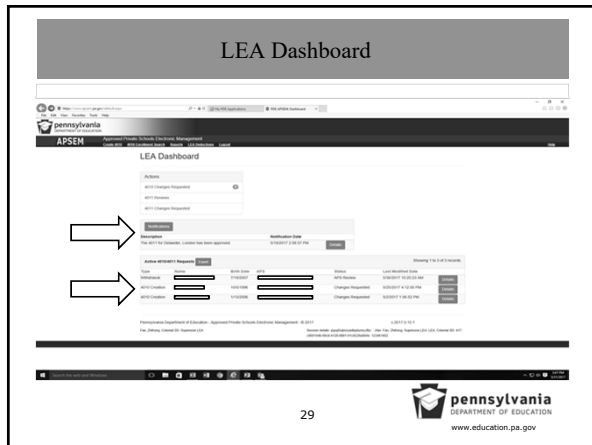
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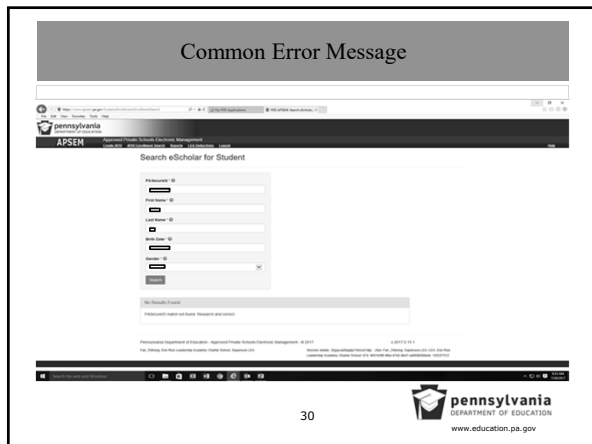
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### Common Error Message

Enrollment Information


Validation Errors:  
• Costs have been finalized for the specified school year

**Student Information**

PA Secure# [ ]  
First Name [ ]  
Middle Name [ ]  
Last Name [ ]  
Birth Date [ ]  
Gender [ ]

**LEA**

Initiating LEA [ ]  
Ward of State [ ]  
No [ ]  
Financially Responsible LEA [ ]  
Resident SO [ ]

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### APS Dashboard

APS Dashboard


Actions  
Cancel Change Request  
APR Request

Registration  
APR Request [ ]  
Initiation Date: 9/12/18 12:30 AM

Type	APR Code	APR	Status	Last Modified Date
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM
APR Change	900010	900010	APR Success	9/12/18 12:30 PM
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM

Pending Change Requests

Request Type	Request	Program Type	Status
APR Request			

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### APS Dashboard

APS Dashboard


Actions  
Cancel Change Request  
APR Request

Registration  
APR Request [ ]  
Initiation Date: 9/12/18 12:30 AM

Type	APR Code	APR	Status	Last Modified Date
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM
APR Change	900010	900010	APR Success	9/12/18 12:30 PM
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM
APR Creation	900010	900010	APR Success	9/12/18 12:30 PM

Pending Change Requests

Request Type	Request	Program Type	Status
APR Request			

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**If You Need Assistance**

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- Registration and Log in
- Forgotten your password
- Change your email address and other information
- And More....

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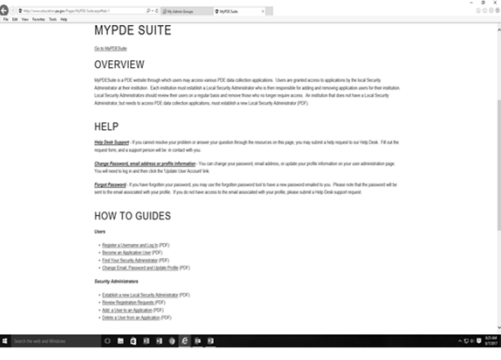
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**MyPDE SUITE**

**OVERVIEW**

MyPDE Suite is a PDE website through which users may access various PDE data collection applications. Users are granted access to applications by the Local Security Administrator at their institution. Each institution must establish a Local Security Administrator who is then responsible for adding and removing application users to their institution. Local Security Administrators should review the user or application details and approve them when a request is made. An institution that does not have a Local Security Administrator, but needs to access PDE data collection applications, must establish a new Local Security Administrator (PSY).

**HELP**

**Site User Support:** If you cannot resolve your problem or answer your question through the resources on this page, you may submit a help request to our Help Desk. Fill out the request form, attach supporting material and we'll respond as soon as possible.

**Change Password and Update my Profile Information:** You can change your password, email address, or update your profile information on your user administration page. You will need to log in and then click the Update User Account link.

**Forgot Password:** If you have forgotten your password, you may use the forgotten password tool to have a new password emailed to you. Please note that the password will only be emailed once and will expire quickly. Once it has been received, the email associated with your profile should contain a link to the request support.

**HOW TO GUIDES**

**Users**

- Register a User on MyPDE
- Register an Institution User (PSY)
- Update My Profile Information (PSY)
- Change Email, Password and Update Profile (PSY)

**Security Administrators**

- Establish a Local Security Administrator (PSY)
- Remove Institution Security (PSY)
- Add Local Security Administrator (PSY)
- Update Local Security Administrator (PSY)

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**Help Links**

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- <https://www.education.pa.gov/Pages/default.aspx#.VxoROLHD-Uk>
- <https://www.education.pa.gov/Pages/MyPDE-Suite.aspx>
- <https://www.mypdeapps.pa.gov/siteminderagent/forms/login.fcc?TYPE=33554433&REALMOID=06-35084476-a714-4c93-8da5-3f7e353efb0e&GUID=&SMAUTHREASON=0&METHOD=GET&SMAGENTNAME=-SM-HEPg/7E02qVAHfhA0KHHnD1%2bZqzwGnnGbQpSZ8e34sL9NNPRjj7QaqHsn3GeVaU&TARGET=-SM-https://www.mypdeapps.pa.gov/Login/wfLogin.aspx>
- <https://www.education.pa.gov/Documents/K12/Special%20Education/APS%20Directory>  www.education.pa.gov

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Question?



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**pennsylvania**  
DEPARTMENT OF EDUCATION  
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Fiscal Training 2018

## IDEA Updates and Compliance with Uniform Guidance

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Fiscal Training 2018

### 2018 Training Schedule:

Tuscarora I.U. #11	September 25
PaTTAN Pittsburgh	October 2
I.U. #1	October 3
PaTTAN East	October 19
PaTTAN Harrisburg	October 26
Northeastern I.U. #19	October 30
Philadelphia I.U. #26	October 31

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Fiscal Training 2018

### Requirements of Grantees

Use federal funds in the best interest of their program, and their decisions must be free of undisclosed personal or organizational conflicts of interest; both in appearance, and in fact.

Adhere to a fair procurement process.

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Fiscal Training 2018

### Requirements of Grantees (cont.)

Avoid "Less than Arms-Length Transactions" These transactions involve the purchasing of goods or services, or hiring an individual from a related party, such as a family member, or a business, associated with an employee or a grantee.



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Fiscal Training 2018

### Requirements of Grantees (cont.)

Sub-grant award decisions and vendor selections must be accomplished, using a fair and transparent process, free of undue influence.

The rate of pay, for consultants, must be reasonable and justifiable, and the work product must be well-defined and documented.



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Fiscal Training 2018

### Requirements of Grantees (cont.)

A grant agreement is a legally binding contract, and grantees are obligated to use their grant funds as outlined in the agreement, and to act with integrity, when reporting their actual use of funds.



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Fiscal Training 2018

### Requirements of Grantees (cont.)

Grantees are obligated to properly track the use of funds, and to maintain adequate, supporting documentation.



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Fiscal Training 2018

### Requirements of Grantees (cont.)

Records Retention:  
Grantees are obligated to maintain and to properly store adequate, supporting documentation and records for a period of six years.



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Fiscal Training 2018

### Department Rights Pursuant to 20 U.S.C. § 1413(g)

The Grantee hereby agrees and acknowledges, and shall have each sub-grantee agree and acknowledge in its sub-award agreement with Grantee, the following:  
The Department (PDE) may at any time, and within its sole discretion, withhold or redirect any of the funding awarded hereunder in order for the Department to fund any actual or anticipated special education or related services the Department determines are appropriate for any students of any grantee or subgrantee, including, without limitation, any entitlement to compensatory education ordered by a tribunal of competent jurisdiction or agreed to in any settlement agreement entered into by any subgrantee.



9/12/2018

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### Single Audits

Compliance Supplement, Part 6: Internal Controls

- Control activities are the policies and procedures that help ensure the management's directives are carried out.
- Control activities must be clearly written and clearly communicated.



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### Compliance Supplement, Part 6: Internal Controls, Section M

Written policies and procedures exist establishing:

- Communications of Federal award requirements to subrecipients.
- Responsibilities for monitoring subrecipients.
- Processes and procedures for monitoring subrecipients.
- Methodology for resolving findings.
- Requirements relating to subrecipient audits.



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Fiscal Training 2018

### Uniform Guidance

Written policies and procedures are required:

- Written Cash Management Procedure – 2 CFR §200.302(b)(6) and 2 CFR § 200.305
- Written Allowability Procedures – 2 CFR §200.302(b)(7)
- Written Conflicts of Interest Policy – 2 CFR §200.318(c)
- Written Procurement Procedures – 2 CFR §200.19(c)



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### Uniform Guidance (cont.)

Written policies and procedures are required:

- Written method for conducting technical evaluations of proposals and selecting recipients – 2 CFR §200.320(d)(3)
- Written Travel Policy – 2 CFR §200.474
- Procedures for managing equipment – 2 CFR §200.313(d)



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### Cash Management 2 CFR § 200.305

- Accounts must be in interest bearing accounts.
- Remit interest above \$500, annually to Health and Human Services.
- Applied to all grants, not individually per grant.



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Fiscal Training 2018

### Cash Management (cont.) 2 CFR § 200.305

- Timely obligation of funds.
- At the time obligations are made.
- Period of performance of federal awards.
- Carryover.



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### Cash Management (cont.) 2 CFR § 200.305

- Classifying costs as direct vs. indirect.
- Negotiated indirect cost rate.
- Copy of indirect cost schedules.
- Determining allowability of costs.



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### Allowability Procedures 2 CFR §200.403

Cost principles...all costs must be:

- Necessary, reasonable, and allocable.
- Conformable with federal law and grant terms.
- Consistent with state and local policies.
- Consistently treated.
- In accordance with GAAP.
- Adequately documented.



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### Gratuities Policy

Prohibition against soliciting or accepting gratuities, favors, or anything of monetary value from contractors, or parties to subcontracts.



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## Procurement

### 2 CFR §200.318

- All nonfederal entities must have documented procurement procedures, which reflect applicable federal, state; and, local laws and regulations.
- Conflict of Interest.



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## Vendor Selection Process

Procurement Method	Goods/Supplies	Services and Exempt Items
Micro-purchase (Informal; No quotes required)	≤ \$3,500	≤ \$3,500
Small Purchase Procedures (Relatively simple and Informal)	> \$3,500 but < \$20,100	> \$3,500 but ≤ \$150,000
Sealed Bids (Formal advertising)	\$20,100 or more	> \$150,000
Competitive Proposals (Formal RFP)	\$20,100 or more	> \$150,000



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## Contract Cost and Price

### 2 CFR §200.323

- New: Must perform a cost or price analysis in connection with every procurement action greater than \$150,000...including contract modifications.
- It is recommended to have an independent estimate before receiving bids or proposals.
- Cost analysis means evaluating the separate cost elements that make up the total price.



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### Inventory & Property Management

2 CFR §200.313

Property Classifications:

- Equipment.
- Supplies.
- Computing devices.
- Inventory procedure.
- Loss, damage, or theft.



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### Time and Effort

#### Single Cost Objective

Certification of actual time worked.

- After the fact.
- Account for total activity.
- Signed by employee or supervisor.
- Every 6 months.



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### Time and Effort

#### Multiple Cost Objective

Certification of actual time worked.

- A-87 Rule: Personnel Activity Report (PAR).
- After the fact.
- Account for total activity.
- Signed by employee.
- At least every month and coincide with pay period.



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### Requirements of Grantees (cont.)

- Indicator 20: Local Education Agency, Reported Fiscal Data.
- Meet Requirements.
- Needs Assistance – first year of non-compliance.



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### Requirements of Grantees (cont.)

- Needs Intervention – second consecutive year of non-compliance.
- Needs Substantial Intervention – third consecutive year of non-compliance, or at the determination of BSE.



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### Requirements of Grantees (cont.)

- All School Districts and Charter Schools receiving IDEA-B, Section 611 Funding.
- Example of determination letter.



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**Fiscal Training 2018**

August 31, 2018

Dear «Salutation» «LastName»:

The purpose of this letter is to advise you of the Pennsylvania Department of Education's (PDE) determination of the status of your local education agency's (LEA) compliance with the Individuals with Disabilities Education Act (IDEA). First, a brief review of the requirements and how we reached this determination for your LEA is appropriate. The IDEA requires the U.S. Secretary of Education to make an annual determination as to whether each state is meeting the requirements of the Act. The Federal Office of Special Education Programs (OSEP) reviews student outcomes as well as compliance data in evaluating state performance. The IDEA statute (Section 618) and Part B regulations (Sections 300.603 and 300.604) spell out categories for the Secretary's determination of a state's status. Each determination category leads to various consequences that OSEP must impose on states, ranging from positive recognition that a state has met requirements, through enforcement actions, including possible loss of federal funds. The categories are (1) meets the requirements and purposes of the IDEA, (2) needs assistance, (3) needs a warning, or (4) needs substantial intervention.

On June 28, 2018, PDE was notified by OSEP that Pennsylvania has received the determination of "meets requirements" for federal fiscal year (FFY) 2016. Pennsylvania has now received the "meets requirements" determination for eleven of the twelve years that OSEP has been issuing its determinations.

In addition to the federal-state determination requirements, IDEA also mandates that states make annual determinations of the status of every LEA in the state. States must use the same four categories OSEP applies to state determinations for making LEA determinations. Conclusions must be based on at least the following factors: (1) the LEA's performance on the compliance indicators of the State Performance Plan; (2) the LEA's submission of timely and accurate Section 618 and other data to the state; (3) the LEA's timely correction of any findings of noncompliance based by PDE; (4) whether there are fiscal issues related to Part B funds; and (5) other information that indicates the LEA's inability to meet requirements of the IDEA.


PDE staff conducted a thorough review of the above data for each school district and charter school in the state. This year's determinations are based on the LEA's performance for FFY 2016. Based on this review, we have determined that your LEA "meets requirements" of Part B of the IDEA.

An LEA that receives the determination of meets requirements is eligible to take advantage of the 50 percent Maintenance of Effort (MOE) option under Section 300.205 of the IDEA Part B regulations. Additional information concerning this requirement is available from PDE.

PDE commends your LEA for the hard work being done to deliver high quality programs to students with disabilities. Should you want more information about this determination, or wish to discuss it further, please contact Ann Hinkson-Herрман, Director of the Bureau of Special Education, at [ahinkson@pa.gov](mailto:ahinkson@pa.gov).

Sincerely,  
 Matthew S. Stern  
 Deputy Secretary

cc: Ann Hinkson-Herрман



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**Fiscal Training 2018**

### Requirements of Grantees (cont.)

- Return signed Adoption Policies back to the I.U., in a timely manner.
- If a CEIS report was received, return the correct information in a timely manner.
- If a Maintenance of Effort letter with an exception worksheet was received, respond with the correct information, by the cut-off date on the letter.



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**Fiscal Training 2018**

### Requirements of Grantees (cont.)

- Respond to Table 8 Report on IDEA-B, Maintenance of Effort Reduction, and Coordinated Early Intervening Services, in a timely manner.
- Failure to meet the timelines in one or more of the above, could result in a "needs assistance" determination letter from the department.
- An LEA must receive a "meets requirements" in order to take advantage, of the reduction in fiscal effort, in accordance with 34 CFR §300.205.



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### Requirements of Grantees (cont.)

- Prepare a plan to “meet requirements.”
- Additional in-depth reporting by the LEA.
- Additional on-site visits by the Bureau of Special Education.



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### Requirements of Grantees (cont.)

- BSE enforcement actions are initiated when persistent non-compliance is not resolved.
- An on-site visit by OSEP.



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### Coordinated Early Intervening Services (CEIS)

Services provided to students:

- K - 12 (especially students in K – 3)
- Who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports, to succeed in a general education environment.



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Fiscal Training 2018

### Two Types of CEIS

- Required
- Voluntary



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### When CEIS is required...

LEA must use the maximum amount (15%) of the funds allowable for comprehensive CEIS for children in the LEA, particularly, but not exclusively, for children in those LEAs, that were found to have significant disproportionality.

If identified under 300.646, expect additional monitoring and reporting, including public reporting.



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### CEIS and Significant Disproportionality

CEIS is required if an LEA is identified in the category of significant disproportionality. The Bureau of Special Education will notify an LEA if it is identified in this category. Compliance with new guidelines has been postponed by two years, until July 1, 2020.



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### CEIS - Voluntary

LEAs may use up to 15% of IDEA, Part B funds to develop, and to provide CEIS. These funds may not be used for special education.



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### Ineligible Use of CEIS Funds

Evaluations that are intended for use in determining eligibility for special education and related services.



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### Eligible CEIS Activities

Professional development, for teachers and other school staff, to enable such personnel to deliver scientifically based, academic, and behavioral interventions.



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### Eligible Use of CEIS Funds

Behavioral and educational evaluations, to determine the supports that are needed by students, to succeed in a general education environment.



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### Eligible Use of CEIS Funds (cont.)

RTII, Tier 2, and Tier 3 - services to nondisabled students in need of additional academic or behavioral support. These funds must supplement, not supplant, other funds used to implement RTII.



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### CEIS Reporting

Requires each LEA to report:

- The amount of IDEA funds used.
- The number of students who received CEIS.
- The number of students who subsequently received special education, and related services, under Part B during the succeeding, two-year period (i.e., the two years after the child has received CEIS).
- Description of activities supported by CEIS funds.



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### LEA MoE Requirement

With certain exceptions, funds provided to an LEA under Part B, must not be used to reduce the level of expenditures for the education of children with disabilities, below the level of those expenditures, for the preceding fiscal year. 34 CFR §300.203(a)



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### MoE Eligibility of LEA

With certain exceptions, an LEA budgets for the education of children with disabilities at least the same total or per capita amount of either local, or State and local, funds as it spent from those same sources, in the most recent prior year, for which the information is available. 34 CFR §300.203(a)



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### MoE Basis for Eligibility

- Current budget 1200 expenditures.
- Current Annual Financial Report (AFR) 1200 expenditures (Exclude Early Intervention and Federal Expenditures).
- LEA allocations from both years to determine if MoE adjustment (50% Rule) could apply.
- Child count from both years to determine per capita test.



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### MoE Basis for Compliance

- Current Annual Financial Report (AFR) 1200 expenditures (Exclude Early Intervention and Federal Expenditures).
- Previous Year Annual Financial Report (AFR) 1200 expenditures.
- LEA allocations from both years to determine if MoE adjustment (50% Rule) could apply.
- Child count from both years to determine per capita test.



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### LEA Failure of MoE

- Check the figures on the spreadsheet and report any discrepancies.
- Exceptions to MoE will cause a decrease in expenditures.
- Respond within the requested time line. Failure to respond will be deemed as a concurrence with the Department's initial determination.
- If the figures are correct, and no exceptions are documented, the school will be required to repay the Federal Government, an amount, equal to the fiscal effort that was not maintained.



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### MoE Exceptions

An LEA may reduce the level of its expenditures (local, or State and local; in total, or per capita) below the level of those expenditures (local, or State and local; in total, or per capita) for the preceding fiscal year under certain circumstances. 34 CFR §300.204



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### Examples of MoE Exceptions

- Voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- Decrease in the enrollment of children with disabilities.
- Termination of costly expenditures for long-term purchases, such as the acquisition of equipment.

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### Examples of MoE Exceptions (cont.)

Termination of an exceptionally, costly obligation to a particular student, with a disability, because the student:

- Has left the jurisdiction.
- Has reached the age at which the obligation to provide a free appropriate public education (FAPE) to the child is terminated, or
- No longer needs the program of special education.

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Pennsylvania Department of Education  
Bureau of Special Education  
Statement of Financial Effect  
Other Department and Expenditure Function  
as required under 24 P.S. § 1224.124 (b)(3)(B)

Local Education Agency Name (L.E.A.): \_\_\_\_\_  
Local Education Agency Administrative Unit Number: \_\_\_\_\_

Statement of Effect (Should) Item number: \_\_\_\_\_ Page: 1 of 1


Statement of Financial Effect (SFE) Form (SFE Form) - This form is used to report the financial effect of a proposed or actual change in the amount of special education services provided to a student with a disability. It is used to determine if the proposed or actual change is a "Statement of Financial Effect" (SFE) as defined in 24 P.S. § 1224.124 (b)(3)(B).

Effective Date	Amount/Description	Amount
00/00/00		
00/00/00		
00/00/00		
00/00/00		

Notes: (Check appropriate box(es) and attach L.E.A. that it is not a statement of effect or other as provided with additional explanation of effect.)

Initial and Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
L.E.A. Contact: \_\_\_\_\_  
Employer: \_\_\_\_\_  
Approved by: (SFE) \_\_\_\_\_ Date: \_\_\_\_\_

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### MoE Adjustments

With certain exceptions, for any fiscal year in which an LEA's Part B allocation, under section 611, exceeds the amount the LEA received for the previous fiscal year, the LEA may reduce the level of expenditures, otherwise required for MoE, by not more than 50% of the amount of the excess. 34 CFR §300.205(a)



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### MoE Adjustment Eligibility

An LEA is eligible to make the 50% reduction, if the LEA:

- Receives an increase in section 611 funds.
- "Meets requirements" under the sec. 616 determinations.



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### MoE Adjustment Eligibility (cont.)

An LEA is eligible to make the 50% reduction if the LEA:

- Has not had responsibility for providing FAPE, taken from it, by the SEA.
- Has not been found by the SEA, to have significant disproportionality, under 34 CFR §300.646.



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### MoE Reduction

- The LEA must use an amount of local funds equal to the MoE reduction to carry out activities that could be supported with ESEA funds. This action will reduce the following year's MoE as well.
- If the LEA uses funds for CEIS, it must subtract any CEIS set-aside from a potential, LEA, MoE reduction.



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Some examples of ESEA activities:

- Improving Basic Programs Operated by LEAs
- Improving Student Reading Skills
- Education of Migratory Children
- Prevention and Intervention Programs for Neglected, Delinquent or At-Risk
- National Assessment
- Comprehensive School Reform
- Advanced Placement programs
- School Drop-out Prevention
- Preparing, Training and Recruiting High Quality Teachers and Principals
- Language Instruction for Limited English Proficient and Immigrant Students
- 21<sup>st</sup> Century Schools
- Promoting Informed Parental Choice and Innovative Programs
- Flexibility and Accountability
- Impact Aid Program

School district may use Impact Aid for a wide variety of expenses, including the salaries of teachers and teacher aides; purchasing textbooks, computers and other equipment; after-school programs and remedial tutoring; advanced placement classes; and special enrichment programs.



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### LEA MoE Requirement

Funds under Part B must be used to supplement State, local, and Federal funds, and not to supplant them. 34 CFR §300.202(a)(3)



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### Noncompliance with MoE Requirements

Audit implications

- Pay back the amount by which the LEA failed to meet MoE.
- Pay back must be made out of non-Federal funds, or funds for which accountability to the Federal government is not required.

Grant implications

- Ineligibility for subgrant funds.



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### MoE Reduction and CEIS

- Previously called Table 8.
- Used as a monitoring tool for OSEP.
- Information is supplied by the Bureau of Education.
- PA has had no findings since the beginning of the collection in 2009-10.
- Additional information may be accessed at: <http://www2.ed.gov/programs/osepidea/618-data/index.html>



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### MoE Reduction and CEIS (cont.)

- The Pennsylvania Department of Education will complete all calculations for LEAs, regarding MoE Reduction.
- LEAs that elect to use the 50% deduction will need to follow the guidelines, regarding MoE Reduction and CEIS.



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### ACCESS Funds

- Funds are deposited into a PDE restricted account.
- Monthly, PCG provides Program Status Reports.
- Review account balance prior to requesting a funds withdrawal.
- Verify account balance with FAI system.
- Funds must be used within the realm of special education services.


  
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### How to Draw Down ACCESS Funds

PDE 352 request forms.


  
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PDE-352  
Page 1

ACCESS FUNDS REQUEST FORM													
<small>CONTRIBUTORIAL TO USE FUNDING VERBA</small>													
<small>FORM 352 Revised 3/2018</small>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><small>TEACHER AND ADDRESS</small></td> <td style="width: 50%;"><small>DATE</small></td> </tr> <tr> <td><small>PHONE # (10)</small></td> <td><small>PHONE # (10)</small></td> </tr> <tr> <td><small>Contact Person, Telephone No. and E-mail</small></td> <td><small>Operating Period</small></td> </tr> <tr> <td><small>Year Submitted</small></td> <td><small>Request Amount (100)</small></td> </tr> <tr> <td><small>044</small></td> <td><small>Request Number (3 Digits)</small></td> </tr> <tr> <td><small>Total amount Requested from The Commonwealth (Page 1 of 3) (500,000)</small></td> <td><small>\$1.00</small></td> </tr> </table>		<small>TEACHER AND ADDRESS</small>	<small>DATE</small>	<small>PHONE # (10)</small>	<small>PHONE # (10)</small>	<small>Contact Person, Telephone No. and E-mail</small>	<small>Operating Period</small>	<small>Year Submitted</small>	<small>Request Amount (100)</small>	<small>044</small>	<small>Request Number (3 Digits)</small>	<small>Total amount Requested from The Commonwealth (Page 1 of 3) (500,000)</small>	<small>\$1.00</small>
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<small>SIGNATURE, CHIEF ADMINISTRATIVE OFFICER</small>													
<small>DEPARTMENTAL APPROVAL, SIGNATURES</small>													
<small>DEPARTMENT OF SPECIAL EDUCATION</small>													
<small>DATE</small>	<small>DATE</small>												
<small>FOR USE ONLY</small>													


  
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**Additional assistance for SBAP Information, contact:**

Jonathan McVey, Director  
 Department of School-Based ACCESS Program  
[jomcvey@pa.gov](mailto:jomcvey@pa.gov)  
 717-787-5512



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**Excess Costs**

An example, of a calculation for Excess Costs, has been posted on the Special Education website of PDE.



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Dr. Del Hart, Chief, Division of Analysis and Financial Reporting  
[dehart@pa.gov](mailto:dehart@pa.gov)  
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Holly Fan, Fiscal Management Specialist  
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 717-346-9644



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Contact/Mission

For more information on the (the topic of the presentation) please visit PDE's website at [www.education.pa.gov](http://www.education.pa.gov)

*The mission of the department is to academically prepare children and adults to succeed as productive citizens. The department seeks to ensure that the technical support, resources and opportunities are in place for all students, whether children or adults, to receive a high quality education.*

9/12/2018



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