

Quick Reference Guide on Coordinated Early Intervening Services

CIFR's quick reference guides are intended to assist states and other stakeholders in better understanding the basics of fiscal reporting requirements set forth in the Individuals with Disabilities Education Act (IDEA). The guides may be developed in collaboration with other national technical assistance centers. This informal guidance does not represent an interpretation of IDEA by the Office of Special Education Programs (OSEP) or the U.S. Department of Education.

What are Coordinated Early Intervening Services?

Coordinated early intervening services (CEIS) are services to help children who need additional academic or behavioral support to be successful in school. They can include professional development and educational and behavioral evaluations, services, and supports (see 34 CFR §300.226(b); 34 CFR §300.646(d)(1)(i)). Under IDEA, the provision of CEIS can be voluntary or mandatory.

Voluntary CEIS is defined by regulations at 34 CFR §300.226. These regulations allow local educational agencies (LEAs) to use up to 15 percent of their IDEA Part B Section 611 and Section 619 funds to implement voluntary CEIS.

IDEA regulations guiding the mandatory provision of CEIS — referred to as comprehensive CEIS — were revised in 2016. These regulations require LEAs identified by their states as having significant disproportionality based on race or ethnicity to reserve 15 percent of IDEA Part B Section 611 and Section 619 funds to implement comprehensive CEIS. States must identify disproportionality with respect to identification, placement, and/or disciplinary removals. Comprehensive CEIS is defined by regulations at 34 CFR §300.646(d).

Why are CEIS important?

Voluntary and comprehensive CEIS are important for identifying and addressing learning and behavior difficulties early. Delays in providing support could result in a need for increased services at a greater cost to address a child's learning difficulties. Both types of CEIS may also help ensure that at-risk students are referred for special education or related services only when necessary. This can help, for example, prevent the inappropriate overidentification of particular subgroups of children with disabilities.

Who can benefit from CEIS?

Voluntary CEIS may be provided to children without a disability in grades K–12, with a particular emphasis on students in kindergarten through grade three.

Comprehensive CEIS may be provided to children with or without disabilities age 3 through grade 12, particularly, but not exclusively, children in those groups who were significantly overidentified (see 34 CFR §300.646(d)(2)). Comprehensive CEIS activities cannot be limited to only children with disabilities.

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The Center for IDEA Fiscal Reporting helps states improve their capacity to report special education fiscal data. The IDEA Data Center provides technical assistance to build capacity within states for collecting, reporting, analyzing, and using high-quality IDEA data.

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How can Part B funds be used for CEIS?

Voluntary CEIS activities that may be funded under Part B by LEAs include:

- » Providing professional development 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; and
- » Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction (see 34 CFR §300.226(b)).

Comprehensive CEIS activities that may be funded under Part B by LEAs include:

- » Providing professional development and educational and behavioral evaluations, services, and supports (see 34 CFR §300.646 (d)(1)(i)).

In addition, these LEAs must also:

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

What is the relationship between CEIS and LEA maintenance of effort reduction?

Under IDEA's LEA maintenance of effort (MOE) requirement, LEAs are required to maintain their level of year-to-year expenditures on special education and related services, using local-only funds or state and local funds. However, under 34 CFR §300.205(a), if the IDEA Part B Section 611 allocation received for the current federal fiscal year exceeds the allocation for the previous fiscal year, the LEA may reduce its MOE (i.e., level of expenditures) by up to 50 percent of the increase in the Section 611 allocation. Please see the Quick Reference Guide on IDEA LEA MOE, developed by CIFR and IDC, for more information on the MOE requirement.

An LEA that is required to use Part B funds to implement comprehensive CEIS may not reduce its MOE amount in this manner because they have been identified as having significant disproportionality. However, an LEA that is implementing voluntary CEIS may potentially be able to reduce the level of its MOE, unless the LEA is determined not to meet the requirements of Part B, is unable to establish and maintain programs of free appropriate public education (FAPE), or the state educational agency (SEA) has taken action against the LEA under IDEA Section 616.

LEAs must keep in mind that voluntary CEIS and the LEA MOE reduction requirements are interconnected. The regulations regarding the interrelationship are designed to minimize a decrease in funding for children with disabilities. The combined amount of the voluntary CEIS set-aside for the current federal fiscal year (i.e., up to 15 percent of the total amount of Section 611 and Section 619 funds) and the LEA MOE reduction (i.e., up to 50 percent of the increase in the Section 611 allocation) that an LEA takes may not exceed the lesser of the maximum amount available for CEIS or the maximum amount available for the LEA MOE reduction. See Exhibit 1 for an example of the interconnection of voluntary CEIS funds and the LEA MOE reduction amount.

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

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

In the scenario presented in Exhibit 1, the LEA could allocate any combination of funds that adds up to \$200,000 or less. For instance, the LEA could choose to set aside \$50,000 for voluntary CEIS and reduce its MOE by \$150,000; or it could set aside \$200,000 for voluntary CEIS and reduce its MOE by \$0.

What are the Part B reporting obligations for CEIS?

States have annual reporting requirements for both CEIS and LEA MOE, which are combined in a single data collection form in the ED Facts Metadata and Process System (EMAPS). For CEIS, states must report the amount of Part B Section 611 and Section 619 funds that each LEA set aside for CEIS, whether voluntary or mandatory, and the number of children who received those services. LEAs are responsible for tracking and reporting this information to the SEA. States must also report, for each LEA that was required to reserve and use funds for comprehensive CEIS, the reason for which the LEA was identified with significant disproportionality. For LEA MOE, states must report the amount, if any, by which each LEA reduced its MOE obligation under 34 CFR §300.205(a), as well as the state's determination of whether the LEA has met the requirements of Part B of IDEA. Please see the EMAPS IDEA Part B MOE Reduction and CEIS User Guide (<http://www2.ed.gov/about/inits/ed/edfacts/emaps-idea-part-b-moe-reduction-ceis-user-guide.pdf>) for more information. Additionally, 34 CFR §300.646(c)(2) requires LEAs identified with significant disproportionality to publicly report on the revision of policies, practices, and procedures.

Questions for states to consider:

How could SEAs encourage more LEAs to voluntarily reserve and use Part B funds for CEIS?

To encourage more LEAs to provide voluntary CEIS as appropriate, SEAs could identify potential barriers, and implement solutions, to using Part B Section 611 and Section 619 funds for voluntary CEIS and provide LEA-level training and supports. For example, states could use the IDC- and CIFR-developed CEIS Fiscal and Student Tracker to help their LEAs with the challenging task of tracking CEIS funds and students.

What are the SEA's procedures for collecting and documenting voluntary and comprehensive CEIS information?

Establishing a clear process and standardized documentation will enable both LEA and state staff to track and report both types of CEIS data. For instance, developing standard data-collection forms and tools may facilitate more consistent and reliable data reporting.

How does the SEA's accounting system track Part B funds used for voluntary and comprehensive CEIS?

Establishing a separate program reporting code for both types of CEIS expenditures will allow easier and more consistent tracking of these funds at the LEA level.

Resources

- Coordinated Early Intervening Services (CEIS) Resources Step by Step
<https://cifr.wested.org/resources/ceis/ceis-step-by-step/>
- A Comparison of Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS) and Voluntary Coordinated Early Intervening Services (CEIS)
https://ideadata.org/sites/default/files/media/documents/2017-09/idc_ceis_chart.pdf
- OSEP Significant Disproportionality (Equity in IDEA) Essential Questions and Answers (pp. 21–25)
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/significant-disproportionality-qa-03-08-17.pdf>
- OSEP Memo 08-09: Coordinated Early Intervening Services Under Part B of the IDEA
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep08-09coordinatedearlyinterveningervices.pdf>
- For additional resources and information, we invite you to visit the CIFR and IDC websites:
<http://cifr.wested.org>
<https://ideadata.org>