



# Best Practices and Procedures for Reviewing LEA IDEA Subgrants

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# Presenters



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# Session Overview

- Review LEA IDEA grant eligibility requirements
- Learn about one state's review process
- Discuss process with colleagues from other states

# LEA Applications and Approvals

# LEA Eligibility

An LEA is eligible for assistance under Part B of the Act for a fiscal year if the agency submits a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201 through 300.213.

Authority: 20 U.S. Code 1413(a)

# § 300.201: Consistency with State Policies

The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures established under §§ 300.101 through 300.163, and §§ 300.165 through 300.174.

# 34 CFR § 300.202: Use of Amounts

- (a) General. Amounts provided to the LEA under Part B of the Act:
- (1) Must be expended in accordance with the applicable provisions of this part;
  - (2) Must be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with paragraph (b) of this section; and
  - (3) Must be used to supplement State, local, and other Federal funds and not to supplant those funds.

# 34 CFR § 300.203: Maintenance of Effort

## (a) Eligibility standard.

(1) For purposes of establishing the LEA's eligibility for an award for a fiscal year, the SEA must determine that the LEA budgets, for the education of children with disabilities, at least the same amount, from at least one of the following sources, as the LEA spent for that purpose from the same source for the most recent fiscal year for which information is available:

- (i) Local funds only;
- (ii) The combination of State and local funds;
- (iii) Local funds only on a per capita basis; or
- (iv) The combination of State and local funds on a per capita basis.



# Poll Question

Is MOE budgeting part of the application review process in your state?

Yes

No

(include any explanation in chat)

# 34 CFR § 300.207: Personnel Development

The LEA must ensure that all personnel necessary to carry out Part B of the Act are appropriately and adequately prepared, subject to the requirements of § 300.156 (related to personnel qualifications) and section 2102(b) of the ESEA.

# 34 CFR § 300.211: Information for SEA

The LEA must provide the SEA with information necessary to enable the SEA to carry out its duties under Part B of the Act, including, with respect to §§ 300.157 and 300.160, information relating to the performance of children with disabilities participating in programs carried out under Part B of the Act.

# 34 CFR § 300.212: Public Information

The LEA must make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under Part B of the Act.

# 34 CFR 300.132–133: Proportionate Share for Private Schools

- Every year each LEA must expend a proportionate share of federal IDEA funds on equitable services for parentally placed private school children with disabilities
- Includes timely and meaningful consultation with private schools
- Service plans developed for students

# Discussion Question

What does your state's LEA application include for proportionate share?

(open your microphone or share in chat)

# Other Requirements

34 CFR 300.204: Exception to maintenance of effort

34 CFR 300.205: Adjustment to local fiscal efforts  
in certain fiscal years

34 CFR 300.206: Schoolwide programs under title I  
of the ESEA

34 CFR 300.207: Personnel development

# Other Requirements (Continued)

34 CFR 300.208: Permissive use of funds

34 CFR 300.209: Treatment of charter schools and their students

34 CFR 300.210: Purchase of instructional materials

34 CFR 300.213: Records regarding migratory children with disabilities



# Substantially Approvable Application

LEAs cannot obligate IDEA Part B subgrant funds prior to submitting to the SEA a substantially approvable application.

State process and timelines for LEA budgeting and approval for 611 and 619 funds.

# Substantially Approvable Application

The LEA must:

- Meet state's definition of an LEA
- Submit a general application to the state that meets the requirements of Section 442 of GEPA
- Provide assurances as required by 34 CFR 300.200 Condition of Assistance

A substantially approvable application may also include:

- Budget and expenditure details
- Other use of funds information, such as CEIS plans

# Poll Question

When do you request that LEAs submit a substantially approvable application?

- June
- July
- August
- Other

# Let's Hear from North Carolina!



# Questions

# CIFR 2022 Part B Webinar Series

## Next in the Series:

- Wednesday, October 5, 2022, 3–4 p.m. ET.
- Watch CIFR's Part B listserv and website for details.
- Register to obtain the webinar link.

# Contact Us



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