



# CIFR 2024 Fiscal Webinar Series: How to Review IDEA Part B LEA Subgrant Applications

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# Presenters



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# Overview

- Review LEA application requirements
- Hear about one state's LEA application review process
- Reflect on application practices with colleagues from other states
- **Bonus:** Learn more about CIFR's Part B IDEA Fiscal Forum this May 14–16

# LEA Application for IDEA Part B Subgrants

# Subgrants Required

Each state receiving grants under Section 611 and Section 619 *must distribute* to LEAs the funds the state does not reserve for state use.

- Includes charter school LEAs
- Even if the LEA is not serving any children with disabilities
- LEAs must have established eligibility

34 CFR §300.705 and §300.815

# Meets the Definition of an LEA

An eligible entity must meet definition of an LEA (34 CFR §300.28) as applied to that state:

- LEAs (defined in 34 CFR §300.28)
- Public charter schools that are LEAs
- Educational service agencies (ESAs) that are LEAs (defined in 34 CFR §300.12)
- State agencies that serve as LEAs (defined in 34 CFR §300.228)

# LEA Application Is Required

- LEAs must have on file a general application that meets the requirements of Section 442 of the General Education Provisions Act (GEPA) (34 CFR §76.301).

Note: A separate application for Section 611 and Section 619 is *not* required (see Section 442 of GEPA).

# Substantially Approvable Application Elements

Subgrant funds may not be obligated before the receipt of a substantially approvable application by the SEA (34 CFR §76.708(a)).

At a minimum, a substantially approvable application:

- meets the requirements of Section 442 of GEPA
- provides assurances as required by 34 CFR §300.200 Condition of Assistance

Reimbursement to LEA for obligations is subject to final approval of a complete application (34 CFR §76.708(b)).



# Reviewing an Application

States must approve applications that:

- are submitted by eligible LEAs to receive a subgrant under IDEA and
- meet the requirements of IDEA and its regulations (see 34 CFR §76.400)

# Disapproval of an Application

- Before determining that an LEA is not eligible or disapproving an application, the SEA must provide notice and an opportunity for a hearing (see 34 CFR §76.401 and 34 CFR §300.221).
  - Hearing procedures are included in 34 CFR §76.401(d).
- SEAs often provide TA to LEAs to ensure that they meet the eligibility and application requirements.
- SEAs should have procedures for determining eligibility and reviewing and approving applications.

# Additional LEA Application Elements

Applications may also include:

- use of funds information for IDEA funds, such as CEIS plans and private school proportionate share information;
- budget information for state and local funds typically used for LEA maintenance of effort purposes;
- detailed budget and prior expenditure information for IDEA funds.

# Conditions of Assistance

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.

34 CFR §300.200

# 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's policies and procedures established under §§300.101 through 300.163, and §§300.165 through 300.174.

34 CFR §300.201

# 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 §300.202

# 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.

34 CFR §300.203

# Poll Question

How is maintenance of effort (MOE) eligibility included in the application review process in your state?

- a) It is embedded in our LEA application.
- b) We have a separate MOE eligibility application/process.
- c) Not sure.

(include any explanation in chat)



# Additional Conditions

- 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
- 34 CFR §300.208: Permissive use of funds

# Additional Conditions (continued)

- 34 CFR §300.209: Treatment of charter schools and their students
- 34 CFR §300.210: Purchase of instructional materials
- 34 CFR §300.211: Information for SEA
- 34 CFR §300.212: Public Information
- 34 CFR §300.213: Records regarding migratory children with disabilities

# 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 §300.212

# Let's Hear from Kansas!



# Questions



# Reflections

- How does your state determine which entities are eligible LEAs in your state each year?
- What are the major components of your state's LEA application process?
- What is your state's timeline for opening, reviewing, and approving IDEA Part B LEA applications?
- Which team(s) manage the review and approval of the IDEA Part B LEA applications?
- **Based on what you heard today, are there any changes needed to the IDEA Part B LEA application processes in your state?**

# CIFR's Part B IDEA Fiscal Forum 2024



# Save the Date!

Part B IDEA Fiscal Forum  
May 14–16, 2024  
Denver, Colorado

Hosted by the **Center for IDEA Fiscal Reporting**  
Registration information coming soon





# Part B IDEA Fiscal Forum 2024

## Content

- Differentiated Monitoring and Support (DMS 2.0) with OSEP and cohort 1 states
- LEA Allocations: Reallocation
- State set-aside: Processes and procedures
- LEA MOE: Processes and procedures
- CEIS: monitoring requirements

## Activities

- Lunch and chat with DMS cohort 1 states
- Networking with TA providers
- State networking
- Problems of practice meetups
- OSEP Q&A

# Contact Us



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