

FY 2012 Consolidated Application
Special Education Program Guidance Information
IDEA Section 611, Federal Preschool Section 619 and State Preschool

These guidelines establish procedures for the use of the federal grant funds awarded under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and the State grant funds. **Part I** provides general information about the program purpose, applicable statutes/regulations and federal/state distribution of funds. **Part II** includes instructions to navigate through the special education program section to access the specific IDEA assurance statements and the tabs or attachments for permissive use of funds forms. **Part III** provides budget information and instructions with the function/object codes for the five grant programs.

The provisions of IDEA 2004, with respect to the right of a free appropriate public education (FAPE) and all other rights and protections for students with disabilities and their parents, are applicable to all local education agencies (LEAs), state schools, state charter schools and other state operated programs to the extent that students with disabilities are enrolled. Under the supervision of the Georgia Department of Education (GaDOE), the provisions of these procedures shall apply to all such agencies.

PART I - General Information and Instructions

To receive IDEA grant funds, each LEA must submit an annual Comprehensive Plan for Special Education and Related Services to serve all students with disabilities ages 3 through 21 within the system's jurisdiction, including parentally-placed private/home school and local jails with students with disabilities and the MOE Eligibility Form. The Consolidated Application with the three year CLIP served as the initial plan for FY 2007 with annual updates thereafter. The federal flow-through grant funds are used to:

1. Assist LEAs in providing special education and related service to students with disabilities;
2. Ensure that the rights of students with disabilities and their parents are protected;
3. Enhance ongoing learning for parents, teachers, paraprofessionals, and instructional staff in conjunction with the Georgia Learning Resources System (GLRS) personnel;
4. Provide LEAs support services and/or technical assistance to students, parents and staff through Georgia's Project for Assistive Technology (GPAT), Georgia Instructional Materials Center (GIMC), Positive Behavioral Supports for Georgia and Georgia's Network for Educational and Therapeutic Supports (GNETS); and,
5. Support LEAs to collect, manage, analyze and report data through their district to enhance school system improvement strategies and results for students with disabilities.

STATUTES/REGULATIONS

Federal: 20 U.S.C. 1400, et seq., Individuals with Disabilities Education Improvement Act of 2004 P.L. 108-446 and CFR Part 300, et seq., establish the authority and parameters for these procedures.

State: O.C.G.A. 20-2-150 et seq., Georgia State Board of Education Policy IDDF and Rules 160-4-7-.01 et seq. mandate programs and services for students with disabilities enrolled in the public and private schools of Georgia. Rule 160-4-7-.17 requires an annual Special Education Comprehensive Plan.

DISTRIBUTION OF FUNDS

Catalog of Federal Domestic Assistance

Subprogram Number

IDEA, Part B, Section 611 – Flow-through
IDEA, Part B, Section 619 – Preschool

84. 027A
84. 173

FEDERAL DISTRIBUTION OF FUNDS

IDEA Flow-through Grants – Part B – Section 611 establishes a formula for grant awards. For FY 2007 and subsequent years, the maximum amount a State may receive is based on the number of children with disabilities in the 2004-2005 school year in the State who:

- received special education and related services aged 3 through 21;
- multiplied by 40% of the average per pupil expenditure in public elementary and secondary schools in the United States;
- adjusted by the rate of annual change in the sum of 85% of the State’s population of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of FAPE under Part B of IDEA; and
- 15% of the State’s population of children who are living in poverty.

IDEA Preschool Grants – Part B - Section 619 states that if the amount available for allocations to States is equal to or greater than the amount allocated to the States under this section for the preceding year, those allocations shall be calculated as follows:

- allocate to each State the amount it received for FY 1998;
- allocate 85% of any remaining funds to States on the basis of their relative populations aged 3 through 5; and
- allocate 15% of those remaining funds to States on the basis of their relative populations of all children aged 3 through 5 who are living in poverty.

STATE DISTRIBUTION OF FEDERAL FUNDS

IDEA Flow through Grants – Section 611 of IDEA 2004 requires that from FY 1999 forward, funds be distributed as follows:

The State shall first award each local education agency the amount that agency would have received for FY 1999, if the State had distributed 75% of its grant for that year. After making that allocation, the State shall allocate 85% of any remaining funds on a basis of relative numbers of children enrolled in public and private elementary and secondary schools within the agency’s jurisdiction; and allocate 15% of those remaining funds to those agencies in accordance with their relative numbers of children living in poverty. Free and reduced lunch figures from the previous FTE - 1 are utilized to define poverty for each agency.

IDEA Preschool Grants – Section 619 of the IDEA 2004 requires that from FY 1997 forward, funds be distributed as follows:

The State shall first award each agency the amount that agency would have received for FY 1997 if the State had distributed 75% of its grant for that year. After making that

allocation, the State shall allocate 85% of any remaining funds on a basis of relative numbers of children enrolled in public and private elementary and secondary schools within the agency's jurisdiction; and allocate 15% of those remaining funds to those agencies in accordance with their relative numbers of children living in poverty. Free and reduced lunch figures from FTE - 1 are utilized to define poverty for each agency.

DISTRIBUTION OF GNETS, STATE PRESCHOOL AND OTHER STATE GRANT FUNDS

The General Assembly appropriates funds for GNETS and the preschool program for students with disabilities annually. GaDOE calculates each grant award based on the number of students who are provided services utilizing a modified QBE formula. In addition, other state grant applications are accepted, reviewed and approved based on specific grant purposes – Residential and Reintegration and Other State Agencies Grants.

PART II – Application Instructions

Each LEA is required to submit the Consolidated Application to include the special education plan through the on-line website. This is a two step process with the Comprehensive LEA Plan (CLIP) being submitted first by each local agency. As the special education director, you will use the recommendations from your district stakeholder group to review and update or revise your plan annually. If you were monitored or are disproportionate, you will need to update your plan. Once the special education portion of the LEA implementation plan or annual update is approved by your Program Manager, the individual program budgets (the three special education budgets) may be submitted to your superintendent for approval. The Program Manager will request revisions or approve your budget and then grant funds are available to draw down through the Grants Accounting On-line Reporting System (GAORS) as long as the Maintenance of Effort and Excess Cost requirements have been met and approved.

Once appointed as the special education contact for the Consolidated Application, you will need to familiarize yourself with the Consolidated Application Navigation site and the planning process which include the NCLB/IDEA Descriptors, the LEA Implementation Plan and your district profiles. Plan to take part in the annual training for users in May. A short description of your participation in the process is described below.

A. LEA Implementation Plan with NCLB/IDEA Goals, Descriptors and Profiles

Basically, you will incorporate your stakeholder recommendations into the LEA Implementation Plan and include at least a brief summary of your efforts to meet the four IDEA performance goals. All goals and indicators **MUST** be addressed by FY 2012. The appropriate indicator within the performance goal becomes the Annual Measurable Objective in the implementation plan as long as you include an outcome measure with it. In addition, your strategies and other components of the action plan must be addressed. Whenever possible, students with disabilities (SWD) should be included within the appropriate NCLB goals. The CLIP must be submitted no later than July 31 and the special education portion approved prior to submitting any budgets.

Descriptors

Within the 31 descriptors listed, there are 16 descriptors that may include students with disabilities (SWD) information. Check to make sure that whenever IDEA or All Students are cited in the descriptor heading that SWD are included in the narrative that is written (Descriptors 1, 2, 3, 5, 6, 8, 9, 13, 14, 15, 19, 20, 21, 22, 24, and 28). These descriptors will coincide with

OSEP's 20 indicators in the State Performance Plan (SPP) which the Divisions for Special Education Services and Supports have described in its four goals and 16 indicators. As of FY 2010, a separate local performance plan based on the goals and indicators had to be submitted.

District Profiles

You have two data profiles available through the report card – District and Exceptional Students. With local stakeholder suggestions, these profiles should help to prioritize the specific goals and indicators in your application or annual update to meet your local and state targets. Demographic data is available in your spring profile while all other data will be populated in the State Report Card rollout in the fall.

B. Budget Process with Assurances, Data Tabs and Permissive Forms

District compliance with federal/state laws and regulations/rules is attested to by the superintendent through assurances. There is a general assurance document regarding lobbying, debarment, and drug-free workplace with common certifications for most federal programs. In addition, the special education program has specific assurance requirements. Specifically, the LEA is attesting to implementing the federal/state rules and regulations for students with disabilities as well as specific requirements such as child find, eligibility procedures, excess cost/supplanting, data collection/reporting, etc. After accessing the consolidated application portal, go to your IDEA Flow-through budget and click on the assurances tab to read the general and specific program assurances so you are aware of what the superintendent is attesting to when signing off on the application.

Exceptional Student Data Collection Tab

IDEA requires additional data collections unique to special education. These items will be shown in the IDEA Flow-through budget under **Program Information**. The second line will show **Uploaded Files, Fiscal Effort and Exceptional Students** as a separate “tab” or “window.” Access the Exceptional Students tab and three forms will appear. These required forms will need to be accessed and the data completed. They are as follows:

1. The Proportionate Share form provides information on parentally placed private/home school students with disabilities to ascertain the equitable proportionate of federal funds to be used. Fill in your student count for 3-5 and 3-21 from your past December 1 count and your initial allocations for IDEA Preschool and Flow-through. The formula will calculate the amount of funds available for proportionate services. Remember to conduct and document your consultation process prior to July and announce your decision on the services to be delivered prior to August 1 or school starting. LEAs must track these funds locally and carryover any unused funds.
2. The Personnel Vacancies form provides data on the number of all special education personnel employed/contracted and the specific vacancies within the LEA for the **previous school year**. All agencies are required to complete this tab.
3. The revised EIS form is mandatory for all LEAs. LEAs are required to fill in their status of not applicable, optional or required participation. **Disproportionate LEAs must use the maximum 15% EIS funds for intervention with high risk regular education students. Up to 15% may be used for optional usage** of EIS funds. Both groups must follow and report through the portal, student interventions for two years and must locally track/carryover any unused funds. A short

narrative to describe activities and the use of funds must be completed as well as projections for the budget by function codes for IDEA and Preschool funds.

The **Fiscal Effort tab** will be pre-populated to indicate that the district met or did not meet the MOE requirement on the aggregate or per pupil basis. If the LEA does not meet MOE requirements, the system must lower their MOE through the Exceptions to MOE form that must be uploaded. **Documentation must be submitted to verify the exceptions to meet the MOE requirement before your budget can be processed.**

Other required forms for the Consolidated Application process may be found on the GaDOE website, Curriculum tab, Special Education and then **Budget and Grant Applications**. The FY 2012 Consolidated Application Attachments lists the following required forms that should be copied to the **Uploaded File** tab under **Program Information** within the IDEA Flow-through budget:

- The Local Performance Plan (LPP) worksheet provides summary information on the implementation of the IDEA goals and indicators for the Division to progress monitor and for the LEA to use with their stakeholders to review and revise annually. This form is required to be copied to the Uploaded File tab under Program Information within the IDEA Flow-through budget.
- 2012 MOE Eligibility Worksheet must be submitted to verify that the FY 2012 local / state special education budget meets or exceeds the most recent prior year's local / state special education expenditures in total or by per pupil amount to receive the IDEA grant award(FY2010).

In addition, some useful locally kept forms are available for planning and for audit purposes:

- Semi-annual certification for employees working on a single federal award or cost objective;
- Monthly time logs needed to document work on multiple activities or cost objectives;
- Annual documentation of private/home school consultation for proportionate share funds;
- Disposition of records form letter;
- Allowable/unallowable usage of funds for each project funded;
- MOE Correction Worksheet;
- Exceptions to MOE form;
- School-wide program form for including special education students; and/or
- Reduction of local effort form by 50% of the allocation increase from the previous year.

Summary Checklist

1. Familiarize yourself with the CLIP planning process and navigation site.
2. Meet with your stakeholders and district team to review/update/revise the CLIP and LPP form.
3. Incorporate SWD into the overall LEA Implementation Plan as much as possible. There may be some goals and indicators that are specifically special education, i.e., disproportionality.
4. Once the special education portion of the plan is approved, go to your budget and complete the required tabs and other uploads as needed by using the window or browser button:

- **Information in the Exceptional Student Tab completed by all programs**
 - Proportionate Share Tab for SWD in private/home schools for 3-5 and 3-21
 - Personnel Tab for all special education personnel from the previous school year
 - Early Intervening Services Tab
- **Uploaded File Tab – Upload or Attachments**

- LPP with goals and indicators for 2012 (**Required**)
 - MOE Eligibility form (**Required**)
 - School-wide form to determine amount of IDEA funds to be used (if appropriate)
 - 50% Reduction of local effort form (if appropriate)
 - MOE Compliance Correction form if MOE is not met (if appropriate)
 - Exceptions to MOE form if the MOE requirement is not met (**Required**)
- **Optional Local Usage Forms as Needed**
 - Semiannual certification for federal employees (Required to be kept locally)
 - Time log for multiple activities or cost objectives (Required to be kept locally)
 - Documentation of private/home school consultation process (kept locally)
 - Disposition of records sample letter
 - Determine your indirect cost when carryover or reallocation funds are added with the calculator

5. Complete all the required tabs and the budgets before signing off for your superintendent to review and approve through the Consolidated Application portal. The superintendent will sign off on the Generic and IDEA Specific Assurances and your budgets for submission to the Division’s Program Manager – Dr. Harry Repsher. The program manager will review your budgets for approval/revision (if the latter, it is e-mailed back for revision as noted). Financial Review in Grants Accounting does the final approval before you can access funds from GAORS- as long as the district’s MOE and Excess Cost requirements are acceptable. Approval of each grant is shown on the portal status column if auditors want an “approval letter”. The Audit tab will provide a listing all sign-offs and the requested revisions if needed for a detailed audit trail.

PART III – Budgets

Prior to loading each budget on the website, it is strongly suggested that you complete a draft budget on paper during the district budget planning process. You can access a blank budget from the Division website by clicking on Budget and Grant Applications and then accessing Budget Pages from the 2012 Consolidated Application section.

Access the Consolidated Application portal with your password and go to the program budget that you wish to complete – IDEA Flow-through, Federal Preschool and State Preschool are common to most LEAs. GRRS, High Cost Funds, GLRS, or GNETS are grants to specific LEAs or RESAs. Click **Budgets** and your initial grant allocation will be listed for this fiscal year in each budget. You have the option of doing a **district wide or school level budget**. Once you decide, type in the function codes (1000, 2100, etc.) and object codes (100, 113, etc.). Repeat for each function and object code until the budget has a “0” balance or is completed. A short description for each budget item should be provided to serve as historical information.

Go to the next budget and repeat the process until all budgets are completed. Save after each budget is completed, signoff and send it to the Superintendent for approval/revision of the budgets and signoff of the assurances. Once it is approved, the budget goes to the State Program Manager for review/revision and then to Grants Accounting for final approval.

A separate budget must be provided for each of the funded grants. Go to the Special Education Division website to see your **Allocations** and locate FY 2012 Special Education Allocations (after June State Board meeting) to find the allocated amount for each of your budgets. **All available initial funds should be budgeted.** The CEIS 15% maximum amount is based on your

allocation minus any special programs such as Parent Mentor and/or Focus Monitoring funds. Use the EIS amount shown unless you choose CEIS as an optional request (up to 15%). Budgets should be completed in conjunction with your district team and/or business office to ensure consistent categorization of funds utilizing the approved Chart of Accounts. Please note that special education federal funds may not be used for legal expenses, buses or construction of facilities. Personnel should be budgeted according to the job codes specified.

If your system uses indirect cost, only the approved restricted indirect cost rate may be charged. Use the 2300-880 function and object code for this item. Your initial allocation maximum indirect cost amount is shown in the Division's website for each federal grant. Any carryover funds will appear in the portal budget after the initial grant is approved. For your usage, an indirect cost calculator is provided this year in the 2012 Allocations section. If you recalculate your indirect cost with the carryover amount, remember to subtract out equipment expenses (730 series items) prior to dividing by your indirect cost rate (i.e., convert rate of 1.32% to 1.0132 or a rate of .92% to 1.0092). Divide your allocation amount (\$100,000) minus equipment, if appropriate, by the converted rate. Always round up to the next dollar figure no matter how small the cents amount (\$98,697.19699 becomes direct cost of \$98,698 if using a 1.32% indirect cost rate). Subtract this amount from the allocation to determine your indirect cost amount (\$100,000 – \$98,698= \$1,302) **or** multiply your previous \$98,697.19699 figure by your indirect cost rate of 1.32% and accept the whole dollar figure as the indirect cost amount or round down. In this example, indirect cost equals \$1302.803 or \$1302.

Period of Obligation

The grant period for the FY 2012 allocations are from July 1, 2011 to September 30, 2013 which includes the Tydings Amendment's additional twelve months. **However, all funds must be obligated and items received prior to June 30th of each budget year with completion reports due by September 30th.** Once the latter is provided to the Grants Accounting Office, your carryover amount for the second year of the obligation period may be budgeted through the amendment process. The CEIS and proportionate share amount funds (private/home school students with disabilities in your district) are valid for one year only and must be carried over if funds remain. Your allocation, carryover and any additional funding will appear in each **Budget** in the portal. Remember that for FY 2012, you may carryover 100% of any remaining FY 2011 federal funds.

Approval Process

The Division's Consolidated Application Program Manager will review, process and approve the special education portion of the CLIP. Start doing each individual program information tab and budget immediately after the LEA submits the CLIP. While the overall CLIP approval process may take some time, your special education plan portion should be approved by the Division's Program Manager so that your budgets could be processed immediately. Once budgets are signed off, the Program Manager will review and approve them through the online process and submit it to Grants Accounting for final approval. Once the budgets are approved, notification will appear in the portal status bar and in GAORS.

Amendments

All amendments must be completed in the Consolidated Application website by going to the portal site, selecting the appropriate program, and amending or editing the budget. **Amendments must be submitted when:** (a) there are unbudgeted funds due to carryover or an additional

allocation/reallocation; or (b) there are changes between function codes (1000, 2100, etc.) that exceeds 25% of the current function total. Sign off and send your amendments to the superintendent for approval. The Division's Program Manager will review/approve it before going to Financial Review for final approval. Notice of approval will appear on the portal and the amount appears in GAORS.

Use of Funds

IDEA grant funds that flow-through to the LEAs may be used for staffing, educational materials/supplies, equipment and other excess cost items to provide special education and related services, as well as for supplementary aids and services, to students with disabilities. Funds **must** only be used for special education purposes unless otherwise specified by a permissive use of funds form.

The United States Department of Education issues the Education Department General Administrative Regulations (EDGAR) which states how the LEA may spend its IDEA funds as well as all other federal grant funds. The relevant sections of EDGAR in Title 34 Code of Federal Regulations (CFR) are parts 74 through 86 and 97 through 99. EDGAR is available online at <http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>. In addition, the federal Office of Management and Budgets (OMB) establish government wide grant management policies and guidelines through circulars and common rules. These policies are adopted by grant making agencies and inserted into the federal regulations. Five OMB circulars are relevant when managing IDEA funds: A-21, A-87, A-110, A-122 and A-133. A-87 and A-133 are most frequently used. Copies of these OMB circulars are available online at <http://www.whitehouse.gov/omb/circulars>. (Do a Control + click to access these items).

Maintenance of Effort (MOE) and Excess Cost requirements are a part of your overall approval process. LEAs will need to submit an MOE Eligibility Worksheet to receive the IDEA grant award. This required form verifies that the FY2012 proposed local / state special education budget meets or exceeds the previous year's FY 2010 budget expenditures. In addition an LEA may need to correct its MOE Compliance form or submit an MOE Exceptions form. The Division computes the MOE from your end of the year expenditures reports for the previous two years with available local/ state special education expenditures which is shown in the Fiscal Effort tab.

Record Keeping – Employee Certification

According to OMB Circular A-87, "(3) Where employees are expected to work solely on a single federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications will be prepared at least semi-annually and will be signed by the employee or supervisory official having firsthand knowledge of the work performed by the employee.

(4) Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports (PARs) or equivalent documentation which meets the standard. Such documentary support will be required where employees work on: (a) more than one federal award, (b) a federal award and a non-federal award, (c) an indirect cost activity and a direct cost activity, (d) two or more indirect activities which are allocated using different allocation bases, or (e) an unallowable activity and a direct or indirect cost activity.

(5) PARs or equivalent documentation must meet the following standards: (a) they must reflect an after the fact distribution of the actual work activity of each employee, (b) they must account for the total activity for which each employee is compensated, (c) they must be prepared at least monthly and must coincide with one or more pay periods, and (d) they must be signed by the

employee.” At least quarterly, comparisons of actual costs to budgeted distributions based on the monthly activity reports are made. Costs charged to Federal awards to reflect adjustments made as a result of the activity actually performed may be recorded annually if the quarterly comparisons show the differences between budgeted and actual costs are less than ten percent. (Federal Register, Volume 70, #168, August 31, 2005) Examples of the forms are included in the Division’s webpage (see OMB Circular A-87 for full coverage).

Retention of Records

See the following Georgia Secretary of State website for the retention schedule for education records www.sos.state.ga.us/archives/whoarewe. There were 92 education records cited.

Guidelines for Equipment Purchases

Purchasing—Within the LEA Comprehensive Application, LEAs will budget in the equipment line item sufficient funds for planned purchases of any items to be considered to be equipment. The LEA will maintain all supporting documentation: inventory records, purchase orders, receipts, and vendor contracts.

For equipment purchases not originally included in the LEA Comprehensive Application, prior written approval is required for purchases of those items of equipment that have a unit cost of \$5,000 or more. Please submit this approval request through an amendment or email to the Program Manager, Dr. Harry Repsher at hrepsher@doe.k12.ga.us.

Allowable Equipment--The LEA is responsible for assuring that only allowable equipment is purchased. If in doubt, please call or submit a list of proposed purchases to the IDEA Program Manager for discussion. However, prior approval in writing is required for items costing \$5,000 or more.

Audit exceptions may be made if equipment items have not been approved through Board action or in the approved project budget based on recent exceptions cited by the Office of the Inspector General.

Inventory/Labeling of Materials and Equipment Purchased with Federal Funds

A separate inventory list for federally purchased specialized materials (assistive technology devices, computers, etc.) and equipment is to be maintained and physical inventories taken every two years in accordance with EDGAR. A local board policy will list the amount of funds used for your system to designate an item as specialized materials or equipment to be inventoried (above \$500 or, more likely, above \$1000) even though federal requirements are for \$5000 per item. Significant technological items available under \$500 that may be easily lost or stolen including PDAs, digital cameras, etc. should be inventoried if they have a useful life of more than one year.

If various employees check out inventoried items, a card file should be maintained to ensure the user’s name and designated location of each item. Usable material and equipment inventories are usually kept five years or longer (see OMB Circular A-87).

Property Management Requirement (CFR 80.32)

1. Maintain property records within a fixed asset inventory system that includes:

- a) the description of the property;
- b) the serial number;
- c) the source of the property;
- d) the name of the entity that holds title;
- e) the acquisition date and cost;
- f) the percentage of federal/state participation in the cost of the property;
- g) the location and condition of the property; and
- h) any disposition data including date and sale price of the property.

2. Take physical inventory of grant acquired property and reconcile results with property records.
3. Develop a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property. Capital outlay items must be properly tagged in order to maintain control and inventory.
4. Develop maintenance procedures to keep property in good condition.
5. Establish procedures to sell grant-acquired property (when authorized or required) to ensure the highest possible return.

Disposal of Equipment Purchased with Federal Funds (34 CFR 80.32)

1. When equipment is no longer needed by the original federal program, an item may be used as a trade replacement. If not replacing the item, it should be made available for use in other federally funded programs. Keep documentation on file if another program declines an item. Transfer the item to them if they decide to use it.
2. If the item is no longer needed, in poor condition or non-repairable, an item with a current per unit fair market value (FMV) of less than \$5,000 may be sold, retained or otherwise disposed of with no further obligation to the system depending on the disposal policy and procedures.
 - a) If sale of the item is desired, you should determine the FMV of the item based on depreciated value. GaDOE uses the IRS depreciation formula where items are fully depreciated after 6 years.
 - b) You can then sell the item to regular education or other agencies for the price based on the FMV. Proceeds of the sale should be used for special education activities just as the original grant funds were used.