



Navigating Voluntary Coordinated Early Intervening Services (CEIS)

White Paper

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Navigating Voluntary Coordinated Early Intervening Services (CEIS)

Purpose and Intended Audience

This technical assistance document focuses on helping state education agencies (SEAs) and local education agencies (LEAs) better understand voluntary coordinated early intervening services (CEIS) and its reporting requirements. It also provides examples of various data collection and reporting methods states use to collect and report CEIS data. The “Crunching the Numbers” boxes include examples of calculating CEIS, and the interaction of MOE reduction and voluntary CEIS. The “Scanning the States” boxes provide examples from SEAs on tracking allowable expenditures, and examples from SEAs and LEAs on tracking data about students receiving CEIS.

Background

Congress included CEIS in the 2004 reauthorization of the *Individuals with Disabilities Education Act* (IDEA). As a result, LEAs may voluntarily use up to 15 percent of their IDEA school age (Section 611) and preschool (Section 619) funds to provide CEIS for students who are not receiving special education services but who need additional academic and behavioral support to succeed in a general education environment. The provision for voluntary CEIS is based on research that found allowing the use of IDEA funds for voluntary CEIS would: (1) benefit students in general education by reducing academic and behavioral challenges and unnecessary referrals and (2) benefit students receiving special education services by ensuring that students are appropriately referred.

Students in kindergarten through grade 12 (with a particular focus on students in kindergarten through

The following table outlines what voluntary CEIS is and is not. See the Allowable Activities/Expenditures section for more information.

| CEIS IS... | CEIS IS NOT... |
|---|--|
| ... described as various services provided to students at risk of being identified for special education in hopes of overcoming the need to refer or identify them with a disability. | ... the same thing as <i>early intervention services</i> for infants and toddlers from birth through age 2 as described in Part C of IDEA. |
| ... a funding source. | ... a specific program or curriculum defined by IDEA. |

grade 3) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment are eligible to receive voluntary CEIS. LEAs may use voluntary CEIS funds to expand existing programs such as multi-tiered systems of support (MTSS) or other services designed to target at-risk children before their identification or possible referral for special education.

Even though an LEA can use its IDEA 619 preschool funds for voluntary CEIS, students who are not yet in kindergarten or students who are *currently* identified under IDEA as students with a disability may *not* receive voluntary CEIS.

Calculating CEIS

An LEA that is eligible to implement CEIS should decide if they plan to make the services available. If an LEA chooses to provide voluntary CEIS, they must determine the amount of funds to be used. An LEA begins by

calculating 15 percent of their total IDEA Section 611 and 619 allocations. When implementing voluntary CEIS, any amount up to 15 percent is allowed. The 15 percent is calculated on the total of the Section 611 and 619 funds, even though the funds for CEIS can come entirely from the Section 611 funds.

Crunching the Numbers: Example of how LEAs Calculate Funds for CEIS

1. An LEA received Section 611 funds in the amount of \$900,000 and Section 619 funds in the amount of \$100,000, resulting in a combined IDEA award of \$1,000,000 ($\$900,000 + \$100,000 = \$1,000,000$).
2. If the LEA chooses to implement CEIS voluntarily, it may set aside any amount of its IDEA award up to 15 percent or, in this case, up to \$150,000.

Allowable Activities/Expenditures

LEAs must account for the expenditure of voluntary CEIS funds to ensure that they meet regulatory requirements. IDEA (20 U.S.C. §1413(f)(2)) and its regulations (34 CFR §300.226(b)) define the activities that are permissible with CEIS funds and the eligible recipients of voluntary CEIS. Permissible activities include the following:

1. “Professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavior interventions, including scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive and instructional software; and
2. Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.”¹
3. Generally, as noted previously, allowable expenditures include professional development for staff who provide voluntary CEIS. In addition, allowable costs could include salaries for general education teachers or other properly certified staff who provide academic and behavioral interventions, assessments, progress monitoring data, and professional development activities. Salaries for support staff, such as paraprofessionals, are also allowable to the extent that they support the delivery of voluntary CEIS academic and behavioral interventions. These duties may include support for tracking students’ progress, services delivered, reporting, and financial accounting. The costs that are not allowable include legal costs and fees; construction and remodeling costs; and costs for, equipment, rent, utilities, special education services, universal screenings, and child find activities for special education.

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Scanning the States: Examples of how SEAs Track Allowable Expenditures for Voluntary CEIS

Surveys of states provide examples of methods used to track allowable expenditures.

- Professional development programs and other allowable expenditures are coded and tied back to a student who receives the services.
- Data elements collected include start- and end-of-service date, type of service, the student’s CEIS entry and exit dates, and reason for exit. Data elements allow the SEA to capture and report accurate data. In addition, these elements can serve as data validation flags.
- Professional development activities are part of the budget.
- LEAs implementing voluntary CEIS submit program narratives in the budget application that meet regulatory requirements of voluntary CEIS. In general, the budget describes the activities that the budget supports.
- The LEA monitors voluntary CEIS funds through expenditure reports that are subject to audit.

Fiscal Implications

LEAs that implement voluntary CEIS must provide the same accounting practices and procedures to track voluntary CEIS funds that they use to account for their

¹ 34 CFR §300.226(b).

IDEA award. The same Education Department General Administrative Regulations (EDGAR) and IDEA fiscal requirements are in place and LEAs must follow them. The LEA must track and document its expenditures for implementing voluntary CEIS until the funds are fully obligated and expended. Grantees and subgrantees have 27 months to obligate funds and an additional 3 months to liquidate. For a grant award on July 1, 2018, the liquidation period ends on December 31, 2020.

Another fiscal impact of voluntary CEIS is related to Maintenance of Effort (MOE). If the Section 611 allocation an LEA receives exceeds the Section 611 amount the LEA received for the previous fiscal year, the

LEA may reduce the IDEA’s LEA MOE requirement. The maximum allowable amount of the reduction is 50 percent of the amount of that increase in 611 funds. LEAs can only take the reduction if their special education program meets requirements as determined by the SEA for that fiscal year and the U.S. Department of Education does not require the LEA to implement comprehensive CEIS² as a result of being identified as having significant disproportionality. An LEA that the Department requires to implement comprehensive CEIS may not reduce the level of its expenditures under 34 CFR §300.205. An LEA that *voluntarily* implements CEIS *may* still reduce the level of its expenditures under

Crunching the Numbers: Example of the interaction of MOE reduction and voluntary CEIS

In this example, the maximum amount an LEA may voluntarily reserve for CEIS is greater than the maximum amount it may use for MOE reduction. The maximum amount available for MOE reduction is the lesser amount. If the LEA chooses to voluntarily set aside funds for CEIS and reduce MOE, the combined voluntary CEIS set-aside and MOE reduction amount must not exceed the maximum amount available for MOE reduction. In this example, the combined amount for MOE reduction and voluntary CEIS must not exceed \$200,000.

MOE Calculation

| Prior FFY 611 IDEA funds received | Current FFY 611 IDEA funds received | Increase in 611 IDEA funds | LEA may reduce its level of expenditure by up to 50% of any increase from the prior year to the current year’s IDEA 611 funds | Maximum amount available for MOE reduction |
|-----------------------------------|-------------------------------------|----------------------------|---|--|
| 1,000,000 | 1,400,000 | 400,000 | Current FFY 611 IDEA funds – Prior FFY 611 IDEA funds x 50 percent 1,400,000 – 1,000,000 = 400,000 x 50 percent | 200,000 |

Voluntary CEIS Calculation

| Voluntary CEIS Calculation | FFY 619 IDEA funds received | Combined FFY 611 and 619 funds | LEA may voluntarily set aside up to 15% of combined 611 and 619 funds | Maximum amount available for voluntary CEIS |
|----------------------------|-----------------------------|--------------------------------|--|---|
| 1,400,000 | 1,000,000 | 2,400,000 | FFY 611 IDEA funds + FFY 619 IDEA funds x 15 percent 1,400,000 + 1,000,000 = 2,400,000 x 15 percent | 360,000 |

² Under 34 CFR §300.646(b)(2), if a State identifies significant disproportionality based on race or ethnicity in an LEA with respect to the identification of children as children with disabilities, the identification of children in specific disability categories, the placement of children with disabilities in particular educational settings, or the taking of disciplinary actions, the LEA must use the maximum amount (15 percent) of funds allowable for comprehensive CEIS for children in the LEA, particularly, but not exclusively, for children in those groups that were “significantly overidentified.” For more information see the IDC Coordinated Early Intervening Services (CEIS) Fiscal and Student Data Tracker and IDC and CIFR developed Quick Reference Guide on Coordinated Early Intervening Services.

this regulation. However, the amount of reduction the regulations allow the LEA is reduced dollar for dollar by the amount the LEA voluntarily sets aside for CEIS. When an LEA uses MOE reduction and voluntary CEIS, the combined amount the regulations allow across both can be no more than the lesser amount available for either.

CEIS Reporting Requirements

Background

The Office of Special Education Programs (OSEP) of the U.S. Department of Education (Department) began collecting the CEIS data in May 2011 for FFY 2009.

OSEP collects data to:

- determine the amount of Part B funds reserved for CEIS;
- exercise fiduciary responsibilities to prevent fraud, waste, and abuse and ensure the effective use of Part B funds; and
- provide information to Congress and the public regarding LEAs that took advantage of voluntary CEIS and MOE flexibilities.

OSEP has used the data to:

- inform Congress of the implementation and use of the voluntary CEIS and MOE reduction provisions in IDEA;
- monitor states on the implementation of voluntary CEIS and MOE reduction; and
- report to the public via *EMAPS* data files and the Annual Report to Congress on IDEA implementation.

Reporting Elements

The IDEA Part B MOE Reduction and CEIS data submission includes the following data elements for all LEAs providing voluntary CEIS:

- Total LEA/ESA allocations for Section 611 and 619 funds.
- Whether an LEA/ESA voluntarily reserved funds for CEIS.
- Amount reserved for voluntarily implementing CEIS.
- The number of children who received CEIS during the referenced school year.
- The number of children who received CEIS at any time in the two preceding school years and received special education and related services during the referenced school year.

Reporting Requirements

An LEA that receives IDEA Section 611 and/or 619 funds has to meet the IDEA Part B MOE Reduction and CEIS data reporting requirements. States report the IDEA Part B MOE Reduction and CEIS data to OSEP through the *EDFacts Metadata and Process System (EMAPS)*.³ *EMAPS* is a web-based tool that provides SEAs with a method of reporting and maintaining information on state policies, plans, and metadata to aid in the analysis of data collected.

³ <http://www2.ed.gov/about/inits/ed/edfacts/index.html>

Scanning the States: Examples of how SEAs are Tracking Data About Students Receiving CEIS

- Students receiving CEIS and CEIS-funded activities they receive are flagged in the Student Information System.
- Student record files in the central state data system updated by LEAs contain a flag for CEIS, which identifies students receiving CEIS, and tracks the students for the subsequent 2 years.
- The CEIS narrative in the grant application system lists the number of students needing CEIS.
- School districts submit student individualized education program (IEP) data for the prior school year, and the Student Information System flags students receiving CEIS.
- SEAs capture other programmatic or demographic information specific to the student or the received services, such as the specific type, duration, and frequency of the service(s) the SEA provided. These are not IDEA requirements.
- The State Legislature or Board of Education restrict some states to collect only the data that federal or state law explicitly requires.
- If there is a change in the data the states collect, it often takes about 18 months to get the new/amended data element ready. This might affect state plans for data they intend to collect.

Scanning the States: Examples of how LEAs are Tracking Data About Students Receiving CEIS

- LEAs track students receiving CEIS in the Student Information System.
- Implementation of an LEA program interfaced with student data files allows SEAs to calculate the number of students identified as receiving CEIS who subsequently received special education services.
- LEAs capture other programmatic or demographic information specific to the student or the received services, such as the specific type, duration, and frequency of the service(s) the LEA provided. These are not IDEA requirements.

Recommended Resources

1. *Navigating Coordinated Early Intervening Services (CEIS) Frequently Asked Questions (FAQ)*.
<https://ideadata.org/resources/resource/1477/navigating-coordinated-early-intervening-services-ceis-frequently-asked>
2. OSEP Guidance and Memorandum 08-09: *Coordinated Early Intervening Services (CEIS) Under Part B of the Individuals with Disabilities Education Act (IDEA)*, July 28, 2008.
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep08-09coordinatedearlyintervening-services.pdf>
3. Education Department General Administrative Regulations (EDGAR).
<https://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>
4. Federal Register: Assistance to States for the Education of Children With Disabilities; Final Rule 4/28/15
<https://www.federalregister.gov/documents/2015/04/28/2015-09755/assistance-to-states-for-the-education-of-children-with-disabilities>
5. Coordinated Early Intervening Services (CEIS)—Resources Step-By-Step.
<https://cifr.wested.org/resources/ceis/ceis-step-by-step/>
6. Coordinated Early Intervening Services (CEIS) Fiscal and Student Data Tracker.
<https://www.ideadata.org/resources/resource/1689/coordinated-early-intervening-services-ceis-fiscal-and-student-data-tracker>
7. Quick Reference Guide on Coordinated Early Intervening Services.
<https://www.ideadata.org/resources/resource/1470/quick-reference-guide-on-coordinated-early-intervening-services>