



## CEIS Practice Guide

Examples of Fiscal and Child Tracking for Voluntary and Comprehensive Coordinated Early Intervening Services (CEIS)

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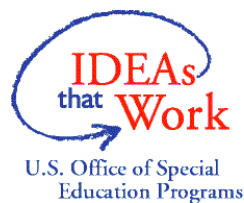
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## Overview

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The *Individuals with Disabilities Education Act* (IDEA) refers to two types of Coordinated Early Intervening Services (CEIS): voluntary CEIS and comprehensive CEIS.<sup>1</sup> Voluntary CEIS allows local education agencies (LEAs) to reserve up to 15 percent of their IDEA Part B 611 and 619 allocations to serve children without disabilities that need additional supports. Comprehensive CEIS requires LEAs that are identified as having significant disproportionality to reserve 15 percent of their IDEA Part B 611 and 619 allocations to serve children with or without disabilities that need additional supports to address the factors contributing to the significant disproportionality.

The Office of Special Education Programs (OSEP) requires states to report data on the LEAs that use IDEA funds for either voluntary CEIS or comprehensive CEIS through the IDEA Part B Maintenance of Effort (MOE) Reduction and CEIS data submission. The purpose of this practice guide is to provide examples of how states and LEAs can accurately track the funds used for voluntary CEIS and comprehensive CEIS and the children who receive voluntary or comprehensive CEIS.

States must report the following information for voluntary and comprehensive CEIS<sup>2</sup> using the *EDFacts* Metadata and Process System (EMAPS):

- the amount of Part B Section 611 and Section 619 funds that the state education agency (SEA) allocates to each LEA;
- the amount of Part B funds each LEA reserves for CEIS;
- the type of CEIS;
- the number of children who received CEIS; and
- the number of children who received CEIS and were subsequently identified for special education and related services over the past 2 years.

## Fiscal and Child Tracking for Voluntary CEIS and Comprehensive CEIS

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IDEA funds used for voluntary and comprehensive CEIS are subject to the general requirements for use of federal funds, as well as specific requirements related to their use. States and LEAs should carefully track the use of IDEA funds for voluntary and comprehensive CEIS for audit purposes, as well as for reporting to OSEP. States and LEAs

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<sup>1</sup> For more information about the regulatory requirements for both types of CEIS, see the *Quick Reference Guide on Coordinated Early Intervening Services* produced by the Center for IDEA Fiscal Reporting (CIFR) and the IDEA Data Center (IDC).

<sup>2</sup> States that require LEAs to set aside IDEA funds for comprehensive CEIS due to significant disproportionality will report additional information in the State Supplemental Survey-IDEA (e.g., the state's definition of significant disproportionality). For more information about these reporting requirements, see IDC's *A Comparison of Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS) and Voluntary Coordinated Early Intervening Services (CEIS)*.

should have procedures in place to ensure that the use of funds is in accordance with the requirements at 34 CFR §300.226 and 34 CFR §300.646.

This practice guide focuses on tracking the amount of funds used by an LEA for voluntary and comprehensive CEIS for reporting to OSEP, but a state should also have procedures in place to monitor for and ensure the appropriate use of those funds. Tracking the use of funds includes collecting information about expenditures, grant year, and activities the voluntary or comprehensive CEIS funds cover, and provides a starting point for further monitoring to ensure appropriate use of the funds.

The practice guide uses the following terms to discuss tracking funds:

- **Expenditures.** Track expenditures to include information about the amount of funds the LEA used for the permissible activities. Ensure that the LEA expended the required amount for comprehensive CEIS and that it expended no more for both comprehensive and voluntary CEIS than the maximum amount available.
- **Grant Year.** Track the grant year from which an LEA used funds for voluntary or comprehensive CEIS.
  - LEAs can choose to expend funds totaling the required amount for comprehensive CEIS from three different LEA subgrants (depending on the timing of the determination of significant disproportionality); therefore, the year of the determination of significant disproportionality and the subgrant may be different. For example, if the state identifies an LEA as having significant disproportionality in February 2018, the LEA may set aside funds for comprehensive CEIS as follows:
    - 15 percent of the funds that it receives from the FFY 2018 appropriation (available for obligation from July 1, 2018, through September 30, 2020);
    - 15 percent of the funds that it received from the FFY 2017 appropriation (available for obligation from July 1, 2017, through September 30, 2019); or
    - 15 percent of the funds that it received from the FFY 2016 appropriation (available for obligation from July 1, 2016, through September 30, 2018).
- **Voluntary and Comprehensive CEIS Activities.** While not required for reporting to OSEP, states must also track the use of funds to ensure that LEAs use voluntary and comprehensive CEIS funds for permissible activities. Permissible activities include providing professional development and academic and behavior supports and planning activities around voluntary and comprehensive CEIS. For comprehensive CEIS, the LEA must also demonstrate that they used the funds to address the policies, procedures, or practices that contributed to the identified significant disproportionality.

LEAs or states also must track children who receive voluntary or comprehensive CEIS, and the state must report the numbers of children to OSEP. While some LEAs report aggregate numbers to the SEA, LEAs should maintain a record and be able to account for each child who received voluntary CEIS or comprehensive CEIS. For comprehensive CEIS, the LEA should be able to demonstrate that it did not exclusively provide comprehensive CEIS to children with disabilities.

This practice guide uses the following terms to discuss child-level tracking:

- 1. Target Group.** LEAs must identify the target group that qualifies for and will receive voluntary or comprehensive CEIS and determine which children from the target group receive voluntary or comprehensive CEIS.
- 2. Identification for Special Education.** In addition to counting the number of children who receive voluntary or comprehensive CEIS, LEAs or the SEA must follow those children for 2 years after they receive voluntary or comprehensive CEIS to determine whether they were identified for special education and related services. While some LEAs report aggregate numbers to the SEA, LEAs should maintain a record and be able to account for each child who received voluntary or comprehensive CEIS.

States and LEAs can use this practice guide with the *CEIS Fiscal and Child Data Tracker* developed by IDC and CIFR. The *CEIS Fiscal and Child Data Tracker* is a set of three tools (provider, school, and LEA) states can use with their providers,<sup>3</sup> schools, and LEAs to assist them in tracking the finances, services, and child data associated with CEIS.

This practice guide provides two scenarios each for voluntary CEIS and comprehensive CEIS. Each scenario describes an LEA's implementation of voluntary or comprehensive CEIS and how the LEA or state could track

- the amount LEAs reserved for voluntary or comprehensive CEIS;
- the activities conducted using IDEA funds for voluntary or comprehensive CEIS;
- the target group of children; and
- ongoing child-level data about special education services.

## List of Scenarios Included in This Practice Guide

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### Scenarios for Voluntary Coordinated Early Intervening Services

Scenario 1: The LEA will voluntarily use CEIS funds to provide professional development on scientifically-based math interventions to all K–3 teachers at the beginning of the school year..... 4

Scenario 2: A child received voluntary CEIS in one LEA (LEA 1) and then moved to another LEA (LEA 2) and was identified for special education ..... 5

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Scenario 3: A school has a system in place to identify children who need extra support in reading (e.g., MTSS, RTI) and uses comprehensive CEIS in combination with other funds to provide interventions to that population ..... 6

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<sup>3</sup> Provider refers to the school or LEA staff implementing CEIS. It could be teachers, paraprofessionals, counselors, or other staff (e.g., a teacher who provides the academic or behavior interventions or supports; a behavioral interventionist, behavior specialist, or psychologist).

Scenario 4: A state requires an LEA to use funds for comprehensive CEIS, but the intervention does not cost as much as what the LEA budgeted. The LEA has funds reserved for comprehensive CEIS that it does not spend entirely in the designated year..... 7

## Scenarios for Voluntary Coordinated Early Intervening Services

### Scenario 1: The LEA will voluntarily use CEIS funds to provide professional development on scientifically based math interventions to all K–3 teachers at the beginning of the school year.

During planning for the 2017–18 school year, LEA staff reviewed data on math performance for kindergarten-through-third-grade children in the LEA and found three groups of children who did not meet any of the four formative math assessment benchmarks the LEA monitored through progress monitoring throughout the 2016–17 school year:

1. children who did not meet one or two benchmarks and did not qualify for any additional intervention or services;
2. children who did not meet three or four benchmarks and thus qualified for math intervention through the LEA’s RTI tier two for math that trained aides provided during math group time; and
3. children who did not meet one to four benchmarks but received special education and related services.

The LEA identified a professional development curriculum on scientifically based math interventions for children in kindergarten through third grade. A regular education teacher administers the interventions during small groups, allowing the teacher to provide the interventions to the group of children who did not meet one or two formative assessment benchmarks, and who did not qualify for math intervention or special education.

The cost of the professional development is \$30,000 for 60 kindergarten-through-third-grade teachers. The LEA’s Part B allocations for SY 2017–18 are \$850,000 for Section 611 and \$75,000 for Section 619. This means that the total amount available for CEIS is \$138,750, or 15 percent of \$925,000. The LEA will only use \$30,000 of the available CEIS funds to pay for the professional development for 60 teachers.

- Who is the target group for CEIS?
  - The target group is the children in group (1) above who did not meet one or two formative math assessment benchmarks—assessed quarterly—and did not qualify for RTI math interventions or special education and related services. The 60 kindergarten-through-third-grade teachers who attended the training teach the group of children.
- Which children should the LEA track for CEIS?
  - The LEA should track only those children who are in the target group (did not meet math assessment benchmarks but did not receive RTI math interventions) and received math interventions from the teachers who received CEIS-funded professional development.
  - The LEA should not track children who did not need additional support or if the children were eligible for and received the RTI or special education intervention (groups 2 and 3 above), even if they received math interventions from the teachers who received CEIS-funded professional development.

- When should the LEA track children for CEIS?
  - In this scenario, the LEA provided the professional development at the beginning of the 2017–18 school year and teachers began applying it in the same year, so the LEA will count children as having received CEIS in 2017-18.
  - The LEA should follow this target group to determine if any of the children are identified as eligible for special education and related services in the 2017–18, 2018–19, and 2019–20 school years.
  - The LEA should count the children in the target group as having received CEIS in 2018–19 if the LEA provided the professional development during the 2017–18 school year but teachers did not implement the small group interventions they learned during this professional development until the 2018–19 school year. The LEA should follow the target group during the 2018–19, 2019–20, and 2020–21 school years to determine if any of the children are identified as eligible for special education and related services.
- How should the LEA track funds?
  - The LEA should review the planned expenditures prior to implementation of CEIS and ensure that the professional development will supplement and not supplant existing professional development.
  - The LEA should track the amount the LEA used for voluntary CEIS to ensure that it is not more than 15 percent of the LEA’s IDEA Part B subgrant.
  - The LEA should track the cost of providing the professional development, which may include
    - actual cost of the training;
    - supplies and materials for the training;
    - funds the LEA used to pay teachers to attend or pay for substitute teachers during the training; and
    - meeting space fees.
  - The LEA should track the use of CEIS funds it budgeted for the professional development to ensure the LEA used the funds for professional development.

**Scenario 2: A child received voluntary CEIS in one LEA (LEA 1) and then moved to another LEA (LEA 2) and was identified for special education.**

A child in LEA 1 received voluntary CEIS in third grade (SY 2017–18) through intensive reading interventions that the LEA provided to a target group of children in need of additional supports to succeed in the general education environment. The child was not eligible for special education services in third grade.

LEA 1 tracked the child to determine whether he was identified for special education and related services in the following two years. In December of his fourth-grade year (SY 2018-19), the child moved to LEA 2. In January, his new teacher referred him for an evaluation, and the IEP team found him to be eligible for special education and related services.

- Which children should LEA 1 track for voluntary CEIS?
  - LEA 1, which provided the voluntary CEIS, should track all children that were part of the target group.

- When should LEA 1 and the SEA track the departing child for voluntary CEIS?
  - IDEA requires that LEA 1 only track the child until the child leaves the LEA.
  - If the SEA is able to access child-level data on children receiving voluntary CEIS, it should track the child for 2 years and report this child in its voluntary CEIS report for LEA 1.
- When should the LEAs report this child?
  - LEA 1 should report this child as having received voluntary CEIS in SY 2017–18.
  - Because LEA 2, the receiving LEA, did not provide voluntary CEIS to this child, LEA 2 should not report this child in their voluntary CEIS reporting.
- How should the LEAs track funds?
  - LEA 1 should track the funds it used for all the children in the target group until it spent the funds or until 27 months after it allocated the funds.
  - Because LEA 2, the receiving LEA, did not provide CEIS to the child who left, LEA 2 does not need to track funds.

## Scenarios for Comprehensive Coordinated Early Intervening Services

### **Scenario 3: A school has a system in place to identify children who need extra support in reading (e.g., MTSS, RTI) and uses comprehensive CEIS in combination with other funds to provide interventions to that population.**

In school year (SY) 2016–17, the state identified an LEA as having significant disproportionality because it over-identified Hispanic/Latino children in the specific learning disabilities category. The LEA conducted a review of contributing factors and determined that the majority of Hispanic/Latino children whom the LEA identified as having a specific learning disability were enrolled in one elementary school. As part of its MTSS, the LEA wants to focus its comprehensive CEIS on increasing the reading supports the school can provide so children can succeed in a general education environment. It will do this by providing intervention and progress monitoring for children in tier 2 whom the LEA identified as needing those supports. The school identified 200 children who need extra support in reading who were not previously receiving progress monitoring in tier 2. The school will use comprehensive CEIS to increase the supports to those 200 children. The additional cost for the interventions is \$300,000.

The LEA's Part B allocations for SY 2017–18 are \$400,000 for Section 611 and \$50,000 for Section 619. This means that the total amount the LEA must spend for comprehensive CEIS is \$67,500, or 15 percent of \$450,000. The school will use 15 percent of its IDEA Part B funds and cover the rest of the \$300,000 cost for the increased interventions with other funds for MTSS. The LEA will track the comprehensive CEIS funds it used for specific intervention services it provided for each of the 200 children for whom the LEA adds services this year, including children with and without disabilities. For example, there may be some children with disabilities whose special education services address speech or behavior, but whose individualized education programs (IEPs) do not address reading. Those children might be considered tier 2 for reading and receive comprehensive CEIS. The LEA will also track the children without disabilities who subsequently are identified for special education and related services.

- Who is the target group for comprehensive CEIS?
  - The target group is all children who are in need of additional supports to succeed in a general education environment and are associated with the risk factors contributing to significant disproportionality, with an emphasis on Hispanic/Latino children because they were in the group over-identified.
- Which children should the LEA track for comprehensive CEIS?
  - The LEA should track the children from the target group who received comprehensive CEIS.
  - The LEA should track the children from the target group who received comprehensive CEIS but subsequently received special education for the next two years.
- When should the LEA track children for comprehensive CEIS?
  - The LEA should track all children from the target group who received the reading interventions the LEA funded with funds for comprehensive CEIS during the 2017–18 school year.
  - The LEA should follow those children who received comprehensive CEIS during the 2017–18 school year and determine if they are eligible for special education and related services in the 2018–19 and 2019–20 school years.
- How should the LEA track funds?
  - The LEA should track the amount it reserved for comprehensive CEIS funds to ensure that the LEA has set aside the full 15 percent of the LEA’s IDEA Part B subgrant for comprehensive CEIS.
  - The LEA should track the use of comprehensive CEIS funds to ensure that it used comprehensive CEIS funds to expand the reading interventions.
  - The LEA should track the expenditures to ensure funds are supplementing the use of the intervention, MTSS, by funding interventions for only the additional 200 children and not children who would have received the intervention without comprehensive CEIS funds.
  - In this scenario, the data states report in EMAPS should be for the 2017–18 school year in which the funds were set aside.

**Scenario 4: A state requires an LEA to use funds for comprehensive CEIS, but the intervention does not cost as much as what the LEA budgeted. The LEA has funds reserved for comprehensive CEIS that it does not spend entirely in the designated year.**

The LEA’s Part B allocations for SY 2017–18 are \$900,000 for Section 611 and \$25,000 for Section 619. This means the total amount that the LEA must use for comprehensive CEIS is \$138,750, or 15 percent of \$925,000.

The LEA planned to use the funds to provide a behavior intervention for children, with and without disabilities, whom the LEA would identify based on office referrals in each of the LEA’s four high schools. The LEA projected the cost to be at least \$138,750 in the LEA’s budget for SY 2017–18.

However, at the end of SY 2017–18, the LEA evaluated data and expenses and learned that, due to lower than expected office referrals, the LEA had spent only \$90,000 on the comprehensive CEIS intervention. The LEA has a remaining balance of \$48,750, and the funds are available through October 2019.

- Who is the target group for comprehensive CEIS?
  - The target group is high school children, with and without disabilities, with three or more office referrals during a semester.
- Which children should the LEA track for comprehensive CEIS?
  - The LEA should track all children who received the behavior intervention, based on office referrals, in the first year of comprehensive CEIS implementation and the next year when the LEA expends the carryover funds.
  - The LEA should follow children who received the behavior intervention in the implementation year and were not eligible for special education to determine if they were identified as eligible for special education and related services in the 2018–19 and 2019–20 school years.
- When should the LEA track children for comprehensive CEIS?
  - Tracking children must extend over additional years if the LEA needs to spend funds in additional years to expend the full 15 percent.
  - The LEA should track the children who received the behavior intervention in the 2017–18 school year.
  - The LEA should follow those children who were not eligible for special education in the implementation year who received CEIS during the 2017–18 school year to determine if they are identified as eligible for special education and related services in the 2018–19 and 2019–20 school years.
  - The LEA should track the children who received the behavior intervention in 2018–19.
  - The LEA should follow those children who were not eligible for special education in the implementation year who received CEIS during the 2018–19 school year to determine if they were identified as eligible for special education and related services in the 2019–20 and 2020–21 school years.
- How should the LEA track funds?
  - The LEA must use the full amount required for comprehensive CEIS.
  - The LEA should track the amount it reserved for comprehensive CEIS funds to ensure that the LEA has reserved the full 15 percent of the LEA’s IDEA Part B subgrant for comprehensive CEIS.
  - The LEA should track the use of comprehensive CEIS funds to ensure it used the funds for the behavior intervention.
  - The LEA should ensure the behavior intervention is supplementing other interventions. The LEA must ensure that the CEIS funds used for additional interventions did not come from another source in a previous year.
  - The LEA may continue to use the funds for the 27-month period of their availability. If the LEA projects that it will not expend the funds, the LEA must develop a plan for implementing additional comprehensive CEIS. The LEA may not reallocate non-expended funds for purposes other than comprehensive CEIS.
  - If the LEA is unable to obligate any portion of the comprehensive CEIS funds by the end of the 27-month period of availability, the unobligated funds revert to the federal government upon liquidation and OSEP may find the LEA to be in noncompliance.
    - The LEA should report the funds as being set aside for comprehensive CEIS in the 2017–18 school year in which the LEA initially reserved the funds based on the determination of significant

disproportionality. The LEA needs to track the funds that it spent on comprehensive CEIS activities in the designated year.

- The LEA should budget and plan for the funds for the carryover year.
- The LEA should track the funds that it spent in the carryover year.

## Related Resources

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*American Recovery and Reinvestment Act of 2009 (ARRA) guidance issued by Office of Special Education and Rehabilitative Services (OSERS)*

<http://www2.ed.gov/policy/gen/leg/recovery/guidance/idea-b.pdf>

*Assistance to States for the Education of Children With Disabilities; Preschool Grants for Children With Disabilities*

<https://www.gpo.gov/fdsys/pkg/FR-2016-12-19/pdf/2016-30190.pdf>

*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/2018-01/51322\\_IDC\\_CEIS\\_vs\\_CCEIS\\_Chart\\_0.pdf](https://ideadata.org/sites/default/files/media/documents/2018-01/51322_IDC_CEIS_vs_CCEIS_Chart_0.pdf)

*Coordinated Early Intervening Services (CEIS) Fiscal and Student Data Tracker*

<https://ideadata.org/resources/resource/1689/coordinated-early-intervening-services-ceis-fiscal-and-student-data-tracker>

*Coordinated Early Intervening Services (CEIS) Resources Step-by-Step*

<https://cifw.wested.org/resources/ceis/ceis-step-by-step/>

Education Department General Administrative Regulations (EDGAR)

<http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>

4/28/15 Federal Register Revised Maintenance of Effort (MOE) Regulations

<https://www.federalregister.gov/articles/2015/04/28/2015-09755/assistance-to-states-for-the-education-of-children-with-disabilities>

*Methods for Assessing Racial/Ethnic Disproportionality in Special Education: A Technical Assistance Guide (Revised)*

<https://ideadata.org/resources/resource/140/methods-for-assessing-raciaethnic-disproportionality-in-special-education>

National Association of State Directors of Special Education (NASDSE), *Coordinated Early Intervening Services (CEIS) Policy Forum*, September 2008

[http://nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/107\\_4b743149-1cf9-4b6c-8d84-4de53a05f356.pdf](http://nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/107_4b743149-1cf9-4b6c-8d84-4de53a05f356.pdf)

OSERS's 1/1/07 *Questions and Answers on Response to Intervention (RTI) and Early Intervening Services (EIS)*

[https://sites.ed.gov/idea/files/07-0021.RTI\\_.pdf](https://sites.ed.gov/idea/files/07-0021.RTI_.pdf)

OSEP Memo 07-09: Disproportionality of Racial and Ethnic Groups in Special Education

<http://www2.ed.gov/policy/speced/guid/idea/letters/2007-2/osep0709disproportionality2q2007.pdf>

OSEP Memo 08-09: Coordinated Early Intervening Services under Part B of the IDEA

<http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep08-09coordinatedearlyinterveningervices.pdf>

OSEP Letter to Minnesota Department of Education (responding to request for clarification of provisions related to CEIS and MOE)

<http://www2.ed.gov/policy/speced/guid/idea/letters/2013-1/hokenson01302013leamoe1q2013.pdf>

*Quick Reference Guide on Coordinated Early Intervening Services*

<https://ideadata.org/resources/resource/1470/quick-reference-guide-on-coordinated-early-intervening-services>