IDEA Data Center

# Navigating Voluntary CEIS

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Westat is the lead organization for IDC. For more information about the center's work and its partners, see www.ideadata.org.

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# Introduction

Understanding voluntary coordinated early intervening services (CEIS) and its reporting requirements can be a challenge for state education agencies (SEAs) and local education agencies (LEAs) alike. To make these requirements easier to grasp, the IDEA Data Center (IDC) designed this resource with practical examples drawn from state approaches to data collection and reporting. Two unique features of this resource help further bring these concepts to life:

- **Crunching the Numbers,** which includes examples of calculating CEIS and the interaction of maintenance of effort (MOE) reduction and voluntary CEIS
- **Scanning the States,** which provides examples from SEAs on tracking allowable expenditures and examples from SEAs and LEAs on tracking data about students receiving CEIS

Together, these examples offer a clear starting point for exploring CEIS requirements and applying them with confidence.

# 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 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.

Let's break this down a bit more concretely:

| CEIS is… | CEIS is not… |
|---|---|
| • 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 *early intervention services* 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 |

*Note: See the Allowable Activities/Expenditures section of this resource for more information.*

# Calculating CEIS

An LEA that is eligible to implement CEIS should decide if they plan to make the services available. Then, if the LEA chooses to provide voluntary CEIS, it must determine the amount of funds it will use. Therefore, an LEA begins the process by calculating 15 percent of its total IDEA Section 611 and 619 allocations, which is the maximum allowed. LEAs calculate this 15 percent based on the total of their Section 611 and 619 funds, even though the funds for CEIS can come entirely from 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 (i.e., $900,000 + $100,000 = $1,000,000).
2. If the LEA chooses to implement voluntary CEIS, it may set aside any amount of its IDEA award up to 15 percent of that total award or, in this case, up to $150,000 (i.e., 15% × $1,000,000 = $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 C.F.R. §300.226(b)) define the following activities as permissible with CEIS funds:

- 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
- Educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction (34 C.F.R. § 300.226(b))
- 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, to the extent that they support the delivery of voluntary CEIS, which may include support for tracking students' progress, delivering services, reporting, and financial accounting

The costs that are not allowable include legal costs and fees; construction and remodeling costs; costs for equipment, rent, and utilities; special education services; universal screenings; and Child Find activities for special education.

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

Surveys of SEAs provide the following examples of methods they use to track allowable expenditures for voluntary CEIS:

- Coding professional development programs and other allowable expenditures and tying them back to a student who receives the services.
- Collecting data elements, including start- and end-of-service date, type of service, the student's CEIS entry and exit dates, and reason for exit; these data elements allow the SEA to capture and report accurate data and can serve as data validation flags.
- Including professional development activities as part of the budget.
- Asking LEAs that implement voluntary CEIS to submit program narratives in their budget application that meet the regulatory requirements of voluntary CEIS. (In general, the budget narrative describes the activities that the budget supports.)
- Having LEAs monitor voluntary CEIS funds through expenditure reports that are subject to audit.

# Fiscal Implications

LEAs that implement voluntary CEIS must use the same accounting practices and procedures to track voluntary CEIS funds that they use to account for their IDEA award. That is, the same Education Department General Administrative Regulations (EDGAR) and IDEA fiscal requirements are in place for voluntary CEIS, 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. Specifically, LEAs have 27 months to obligate funds and an additional 90 days to liquidate them. Therefore, for a sub-grant awarded on July 1, 2025, the liquidation period ends on December 29, 2027.

Another fiscal impact of voluntary CEIS is related to 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 its 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 as long as the U.S. Department of Education does not require the LEA to implement comprehensive CEIS[1] as a result of being identified as having significant disproportionality. An LEA that that is required to implement comprehensive CEIS may not reduce the level of its expenditures under 34 C.F.R. § 300.205. An LEA that voluntarily implements CEIS may still reduce the level of its expenditures under this regulation. However, any amount the LEA sets aside for voluntary CEIS reduces the allowable MOE reduction. When an LEA uses both MOE reduction and voluntary CEIS, the total combined amount cannot exceed whichever limit—MOE reduction or CEIS—is smaller.

### Crunching the Numbers: Example of the Interactions of MOE Reduction and Voluntary CEIS

The tables that follow offer an example where the maximum amount an LEA may voluntarily reserve for CEIS is greater than the maximum amount it may use for MOE reduction. In other words, 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.

[1] Under 34 C.F.R. § 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 disciplinary actions, the LEA must use the maximum amount (15%) of funds allowable for comprehensive CEIS for children in the LEA, particularly, but not exclusively, for children in those groups that were "significantly overidentified."

**Table 1. 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 IDEA funds - Prior FFY 611 IDEA funds × 50%<br>1,400,000 - 1,000,000 = 400,000 × 50% | 200,000 |

**Table 2. Voluntary CEIS calculation**

| FFY 611 IDEA funds received | FFY 619 IDEA funds received | Combined FFY 611 and 619 funds | LEA may voluntarily set assign 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 × 15%<br>1,400,000 + 1,000,000 = 2,400,000 × 15% | 360,000 |

# CEIS Reporting Requirements

## *Background*

The U.S. Department of Education's Office of Special Education Programs (OSEP) began collecting the CEIS data in May 2011, which applied to federal fiscal year (FFY) 2009 (i.e., October 1, 2008–September 30, 2009).

OSEP collects these data for the following reasons:

- 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
- Provide information to Congress and the public regarding LEAs that took advantage of voluntary CEIS and MOE flexibilities

Since beginning its collection, OSEP has used these data for a variety of purposes:

- Informing Congress of the implementation and use of the voluntary CEIS and MOE reduction provisions in IDEA

- Monitoring states on the implementation of voluntary CEIS and MOE reduction
- Reporting to the public via IDEA Section 618 data products and the *Annual Report to Congress on the Implementation of IDEA*

## 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 allocations for Section 611 and 619 funds
- Whether an LEA 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 the Department of Education through EDPass via file specifications.

States and LEAs need systems that can flag students receiving CEIS, track services over time, and connect those data to broader program goals The following examples show how SEAs and LEAs approach tracking CEIS data in their systems. These strategies highlight practical ways to meet federal requirements while supporting local decision-making.

### 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 (SIS).
- Student record files in the central state data system that LEAs update 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.
- LEAs submit student individualized education program (IEP) data for the prior school year, and the SIS flags students receiving CEIS.
- SEAs capture other programmatic or demographic information specific to students or the services they received, 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 restricts some states so that they may only collect 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 SIS.
- Implementation of an LEA program interfaced with student data files which 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 students or the services they received, such as the specific type, duration, and frequency of the service(s) the LEA provided. These are not IDEA requirements.

# Conclusion

Understanding voluntary CEIS and its reporting requirements is essential for ensuring compliance and supporting students effectively. By planning carefully, tracking data accurately, and engaging stakeholders, SEAs and LEAs can make these processes meaningful—not just procedural.

Looking for more guidance? Visit the IDC website for additional resources on CEIS, MOE reduction, and related fiscal and data reporting topics.

Have questions specific to your state? Reach out to your IDC State Liaison for personalized support.