FEBRUARY NATIONAL TA CALL

FEBRUARY 11, 2020
Logistics

- All attendees will be muted for the majority of this webinar.
  - At times, you may be prompted to “raise your hand” if you would like to ask a question. You will be unmuted and re-muted by an organizer.
- To submit questions for speakers, enter your question in the “Questions” dropdown in your control panel.

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Resources for Maintenance of State Financial Support and Local Educational Agency Maintenance of Effort

OSEP Monthly TA Call
February 11, 2021
Dave Phillips, Director
Agenda

- What We Do
- Engaging Us
- Maintenance of State Financial Support (MFS) Resources
- Local Educational Agency Maintenance of Effort (LEA MOE) Resources
What We Do

The Center for IDEA Fiscal Reporting (CIFR) assists states to improve the quality of their collection, reporting, analysis, and use of IDEA Part B and Part C fiscal data.
What We Do

Part B reporting requirements supported by CIFR are:

- Maintenance of state financial support (MFS)
- Allocation of IDEA Part B subgrants to local education agencies (LEAs)
- LEA maintenance of effort (MOE)
- Coordinated early intervening services (CEIS)

Part C reporting requirements supported by CIFR are:

- Indirect cost/Cost allocation plan information
- Use of Funds
CIFR Targeted Objectives

1. **Expand state knowledge** of IDEA Part B and Part C fiscal requirements and calculations.

2. **Increase state capacity** to collect, report, analyze, and use accurate IDEA Part B and Part C fiscal data.

3. **Improve state infrastructure** through the:
   - development and maintenance of well-defined and documented policies and procedures;
   - creation or adoption of needed tools and resources;
   - development of enhanced training systems; and
   - cultivation of strong cross-functional and cross-agency relationships.
Engaging Us

- State TA Liaisons
- Communities of Practice
- CIFR listserv
- CIFR Fiscal Webinar Series
- IDEA Fiscal Forums
- https://cifr.wested.org/
What We Do

The Center for IDEA Fiscal Reporting (CIFR) assists states to improve the quality of their collection, reporting, analysis, and use of IDEA Part B and Part C fiscal data. The following are the specific reporting requirements supported by CIFR:

**Part B**
- Maintenance of state financial support (MFS)
- Allocation of IDEA Part B subgrants to local educational agencies (LEAs)
- LEA maintenance of effort (MOE)
- Coordinated early intervening services (CEIs)

**Part C**
- Indirect cost/Cost allocation plan
- Use of funds

**Did you know?** Charter schools that are LEAs have the same requirements as any other LEA for implementing IDEA requirements, including fiscal requirements.

How States Benefit

- **Expanded state knowledge** of the IDEA Part B and Part C fiscal requirements and calculations
- **Increased state capacity** to collect and report accurate IDEA Part B and Part C fiscal data and to analyze and use those data for improving programs by adapting model practices
- **Increased state infrastructure** for IDEA fiscal data collection, reporting, analysis, and use
State TA Liaisons

Each state and entity has a Technical Assistance (TA) liaison for each Part B and Part C program it operates to serve as a primary point of contact with CIFR. By assigning state TA liaisons for each program, CIFR ensures direct, timely access to fiscal content expertise. Please reach out to your state TA liaisons for any needs you may have.

<table>
<thead>
<tr>
<th>Alabama</th>
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<tr>
<td><strong>Part B Primary TA Liaison</strong></td>
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<td>Pakethia Harris</td>
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<td>Amanda Pierce</td>
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What We Do

The Center for IDEA Fiscal Reporting (CIFR) assists states to improve their collection, reporting, analysis, and use of IDEA Part B data. Following are the specific reporting requirements supported by CIFR.

Part B
- Maintenance of state financial support (MFS)
- Allocation of IDEA Part B subgrants to local educational agencies (LEA)
- LEA maintenance of effort (MOE)
- Coordinated early intervening services (CEIS)

Part C
- Indirect cost/Cost allocation plan
- Use of funds

Did you know? Charter schools that are LEAs have the same requirements as any other LEA for implementing IDEA requirements, including fiscal requirements.

New States Benefit

- Expanded state knowledge of the IDEA Part B and Part C fiscal requirements and calculations
- Increased state capacity to collect and report accurate IDEA Part B and Part C fiscal data and to analyze and use those data for improving programs by adapting model practices
- Increased state infrastructure for IDEA fiscal data collection, reporting, analysis, and use

Request Technical Assistance

https://cifr.wested.org/resources/
# Maintenance of State Financial Support (MFS) Toolkit

## QRG
### Quick Reference Guide
Understand the basics of MFS requirements stipulated in the IDEA.

## FFIT
### Funding Flow Ideograph Tool
Create a graphic description of your state’s fiscal support system.

## TDT
### Timeline Development Tool
Create a timeline and document your process for collecting MFS data.

## DCRT
### Data Collection and Reporting Tool
Download the entire Data Collection and Reporting Tool (DCRT). Alternatively, you can download the individual components:

- Training Video
- DCRT
- MFS Calculation Checklist
- Letter to Other State Agencies
What We Do

The Center for IDEA Fiscal Reporting (CIFR) assists states to improve their collection, reporting, analysis, and use of IDEA Part B and Part C financial data. Below are the specific reporting requirements supported by CIFR:

- Part B - Allocation of IDEA Part B subgrants to LEAs
- Part B - Coordinated Early Intervening Services (CEIS)
- Part B - Local Educational Agency (LEA) Maintenance of Effort (MOE)
- Part B - Maintenance of State Financial Support (MFS)
- Part C - Indirect Cost/Cost Allocation Plan
- Part C - Use of Funds

Did you know? Charter schools that are LEAs have the same requirements as any other LEA for implementing IDEA requirements, including fiscal requirements.
Local Educational Agency (LEA) Maintenance of Effort (MOE) Organizer

MEETING THE ELIGIBILITY (BUDGET) STANDARD

Federal Requirements

The regulations for the MOE eligibility standard are at 34 CFR §§300.203(a), 300.204, and 300.205. Other IDEA requirements that may apply include §§300.12, 300.28, 300.29, 300.221, 300.227, 300.228, and 300.608.

34 CFR 300.203(a)(1) provides an overview of the eligibility standard:

“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.”
RESOURCE

Local Educational Agency (LEA) Maintenance of Effort (MOE) Organizer

REGULATIONS

34 CFR §300.12 Educational service agency (ESA). Defines an ESA. May help an SEA determine if some of its state structures must meet the LEA MOE eligibility standard under 34 CFR §300.203 (e.g., cooperatives, regional TA centers, etc.).

34 CFR §300.28 Local educational agency. Defines an LEA, including ESA and other public institutions and agencies, and Bureau of Indian Affairs funded schools. Will help an SEA determine which education providers must meet the LEA MOE eligibility standard under 34 CFR §300.203.

34 CFR §300.200 Condition of assistance. Describes the conditions under which an LEA is eligible to receive its IDEA funding. An LEA that receives IDEA funding must maintain effort under 34 CFR §300.203.

34 CFR §300.203(a) Maintenance of effort. Eligibility standard. Describes the MOE requirements and intervening years for the eligibility standard so that the SEA can determine how to provide TA to LEAs that must maintain effort under 34 CFR §300.203.

34 CFR §300.203(c) Maintenance of effort. Subsequent years. Describes the Subsequent Years rule as it relates to LEA MOE so that the SEA can determine how to provide TA to LEAs that must maintain effort under 34 CFR §300.203.

OSEP RESOURCES

OSEP Guidance - Sections B & C. This question and answer document explains: (1) the eligibility standard; (2) the compliance standard; (3) the subsequent years rule; and (4) the consequences for an LEA’s failure to maintain effort. The document also describes the actions that SEAs and LEAs must take to meet the MOE eligibility and compliance standards, answers frequently asked questions about LEA MOE, and shares examples to facilitate and enhance SEA and LEA understanding of LEA MOE.

TA CENTER RESOURCES

CIFR, LEA MOE Quick Reference Guide. Provides an overview of the LEA MOE requirements stipulated by IDEA.

CIFR, Key Differences between IDEA Local Educational Agency Maintenance of Effort and Excess Cost Requirements. Describes key differences between the LEA MOE and excess cost requirements and methods for calculating them.
Upcoming CIFR supports

• February 19: MFS Open Door Session
• March 5: Part B Fiscal Webinar on LEA MOE
• March 19: Follow-Up LEA MOE Open Door Session
• Communities of Practice on MFS and LEA MOE problem solving
The Center for IDEA Fiscal Reporting (CIFR) is a partnership among WestEd, AEM Corporation, American Institutes for Research (AIR), Emerald Consulting, the Frank Porter Graham Child Development Institute at the University of North Carolina at Chapel Hill, the Center for Technical Assistance for Excellence in Special Education (TAESE) at Utah State University, and Westat. The Improve Group is CIFR’s external evaluator. The contents of this website were developed under a grant from the U.S. Department of Education, #H373F200001. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government. Project Officers: Jennifer Finch and Charles Kniseley.

Web: https://cifr.WestEd.org/

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Elementary and Secondary School Emergency Relief (ESSER) Fund

Office of Special Education Programs (OSEP)

February 11, 2021
Agenda and Objectives

▶ Review uses of ESSER I and II funds

▶ Discuss the potential impact of ESSER I and ESSER II funds on IDEA
  • Review State Maintenance of Financial Support (MFS) under IDEA
  • Review the Local Education Agency (LEA) Maintenance of Effort Requirements (MOE)
Education Stabilization Fund in the CARES and CRRSA Act

Available to the 50 States, Puerto Rico and the District of Columbia

ESSER II Fund awards to SEAs are in the same proportion as each State received funds under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended, in fiscal year 2020. (CARES Act was FY 2019)
ESSER I and ESSER II funds

- ESSER I (CARES Act) and ESSER II (CRRSA Act) can be used for any activity authorized by IDEA to prevent, prepare and respond to COVID-19

- This applies for both the SEA reservation and the LEA subgrants

- ESSER I funds must be obligated by 9/30/2022

- ESSER II funds must be obligation by 9/30/2023
OSEP intends on issuing guidance on the use of ESSER I and ESSER II funds to support children with disabilities.

We want to hear your questions and SEA/LEA experiences in using ESSER I and ESSER II funds.

Please provide any optional feedback to your OSEP fiscal team members by February 19, 2021.
Under IDEA the requirements for State MFS and LEA MOE remain in effect under:

- **MFS**
  - 34 CFR §300.163(a) and

- **LEA MOE**
  - 34 CFR §300.203 (a).
Under 34 CFR §300.163(a), "a State must not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year."
The Secretary may waive the requirement at 34 CFR §300.163(a), for one fiscal year at a time if the Secretary determines that granting a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

See 34 CFR §300.163(c)(1)
The Department has posted all the waiver requests and our responses on:
http://www2.ed.gov/policy/speced/guid/idea/monitor/smfs-partb-waivers.html

On this website you will find:
  • Basic criteria
  • Waiver Requests
  • Department’s responses
Generally, an LEA may not reduce the amount of local, or State and local, funds that it spends for the education of children with disabilities below the amount it spent for the preceding fiscal year. There are two components to the LEA MOE requirement –

- the eligibility standard (§300.203(a));
- and the compliance standard (§300.203(b)).
Four Methods

An LEA may use the following four methods to meet both the eligibility and compliance standards:

- (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.
OSEP Resources—OSEP Fiscal Team

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OSEP Resources

OSEP funded TA Centers –
- Center for IDEA Fiscal Reporting (CIFR)
- National Center for Systemic Improvement (NCSI) Fiscal Team
DMS 2.0 Pivot

February 2021
OSEP Acting Director and Director

David Cantrell
Acting Director
Office of Special Education Programs (OSEP)

Gregg Corr
Director
Monitoring and State Improvement Planning Division (MSIP)
Office of Special Education Programs (OSEP)
Announcement of DMS Pivot

Recognizing the ongoing pandemic and consistent with President Biden’s prioritizing, OSEP is announcing the following adjustments to DMS and OSEP’s work with States for the remainder of this fiscal year:

➢ OSEP’s monitoring and technical assistance (TA) will focus on addressing issues related to COVID-19:
  ➢ School/Preschool reentry, resumption/continuation of early intervention services (EIS) and recovery from the pandemic
  ➢ Holding States accountable for meeting the needs of infants, toddlers, children and youth with disabilities and their families.
  ➢ Effective delivery of virtual, hybrid, or other models of service delivery due to the social distancing requirements in many States
  ➢ Use of ESSER, GEAR and IDEA funds to address issues related to the Pandemic

➢ Remain committed to DMS 2.0
Agenda

- Issue
- President Biden’s Executive Order
- DMS Pivot Activities
- Commitment to DMS 2.0
- Impact on Cohort 1 States
- Schedule and DMS 2.0 Road Map
Our infants, toddlers, children and youth with disabilities and their families are facing an unprecedented situation:

➢ As a result of the pandemic, over 450,000 Americans have lost their lives and COVID-19 still rages

➢ Approximately 50% of our schools are operating virtually during the 2020-2021 school year.

➢ Early Intervention programs and preschool programs have also been delivering services through a mixture of virtual and in person methods.

➢ Despite the promise of vaccines, formidable challenges remain in providing EIS and preschool services for infants and toddlers with disabilities and their families, and special education and related services to students with disabilities.
President Biden’s Executive Order

President Biden’s Executive Order on Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers, called on us to:

- Create the conditions for safe, in-person learning as quickly as possible
- Ensure high-quality instruction and the delivery of essential services
- Mitigate learning loss caused by the pandemic
- Address educational disparities and inequities

The DMS Pivot activities are designed to support these goals
DMS Pivot Activities

- Follow up on OSEP’s initial review of State COVID-19 policies
- Monthly calls with States on COVID-19 policies and efforts to ensure that EIS, preschool, special education and related services are being provided in accordance with IDEA
- Review of existing OSEP guidance and issuing of new guidance as appropriate
- Collaboration with Research to Practice and OSEP funded TA providers to provide necessary support to States
- Collaboration with our Stakeholders
Commitment to DMS 2.0

- Finalize DMS materials and procedures and prepare for monitoring activities in October 2021
- Continue with stakeholder engagement activities
- Continue Universal TA calls covering topics related to DMS and State needs related to the current pandemic
Impact on Cohort 1 States

- Finalize Phase 1 Fiscal Management Activities
- Follow up on areas of noncompliance
- Continue to provide universal and targeted TA on areas identified through Phase 1 activities
- Resume Phase 1 DMS activities for Cohort 1 States for other seven components of general supervision framework
Differentiated Monitoring and Support (DMS) System

DMS 2.0 FRAMEWORK w/Intended Outcomes

Overview
Based on an evaluation of the effectiveness of the previous iteration of the DMS system, OSEP announced a change to the DMS process starting with Federal fiscal year (FFY) 2021 (beginning on October 1, 2020). Beginning in FFY 2021, Part B, 619, and Part C programs in States will be monitored by OSEP on cyclical basis. All States will be monitored on general supervision, with additional components determined based upon the needs of the State and other available information. As explained in detail below, OSEP’s monitoring will be conducted in three phases lasting up to one-year each. As a result of the pandemic and school/program needs, OSEP pivoted some of the DMS activities in order to provide guidance and support to States.

Vision
Driving excellent outcomes for infants, toddlers, children, and youth with disabilities and their families through monitoring and supporting States.

Mission
Through monitoring, technical assistance, and dissemination of information to States, families and other stakeholders, MSIP ensures that the rights afforded under IDEA to eligible infants, toddlers, children and youth with disabilities, and their families, are assured through implementation of Statewide systems that incorporate effective strategies for improving functional and educational outcomes that prepare and provide children with options for further education, employment and independent living.

Logic Model

Inputs
- SPP/APR Review
- DMS 2.0
- Grant Applications

Processes
- Phase 1: Pre-site Work
- Phase 2: On-site/Virtual Work
- Phase 3: Follow-up and Verification

Output
- Consult with States, review protocols, prepare for Phase 2
- Evaluate implementation, interview local programs
- Ensure correction of outstanding findings, engage in follow-up TA to address performance needs

Outcomes - Short-Term
- Identify Issues or Areas of Concerns
- Develop plans for Follow-up
- Present transparent and comprehensible information to the public

Results - Mid-term
- Ensure OSEP is fulfilling its responsibilities to monitor grantees
- Align results and compliance in OSEP monitoring
- Provide differentiated and meaningful support and technical assistance to States

Impacts - Long-Term
- Improved outcomes and results for infants, toddlers, children and youth with disabilities and their families
Improving Educational Results and Functional Outcomes for All Children with Disabilities

8 Key Components

- Fiscal Management
- Integrated Monitoring
- Sustaining Compliance & Improvement
- Implementation of Policies and Procedures
- Technical Assistance & Professional Development
- Dispute Resolution
- Data
- SPP/APR
Differentiated Monitoring and Support Systems (DMS)

DMS 2.0 Schedule

Year 1
- School Re-opening and Pandemic Support
- DMS 2.0 Protocol Development/Feedback Engagement
- Universal TA Support

Cohort 1 (16 States): Phase 1 Pre-site Monitoring

Year 2
- Cohort 1 (16 States): Phase 1 Pre-site Monitoring

Year 3
- Cohort 2 (24 States): Phase 2 Onsite/Virtual Monitoring

Year 4
- Cohort 1 (16 States): Phase 3 Follow-up and Close-Out

Year 5
- Cohort 2 (24 States): Phase 2 Onsite/Virtual Monitoring
- Cohort 3 (25 States): Phase 1 Pre-site Monitoring

Year 6
- Cohort 3 (25 States): Phase 3 Follow-up and Close-Out
- Cohort 4 (28 States): Phase 2 Onsite/Virtual Monitoring
- Cohort 5 (23 States): Phase 1 Pre-site Monitoring

Year 7
- Cohort 4 (28 States): Phase 3 Follow-up and Close-Out
- Cohort 5 (23 States): Phase 2 Onsite/Virtual Monitoring

Year 8
- Cohort 5 (23 States): Phase 3 Follow-up and Close-Out
- All States Monitored
- Evaluate Process
DMS 2.0 ROADMAP 2021

Driving excellent outcomes for infants, toddlers, children, and youth with disabilities and their families through monitoring and supporting States.

DMS 2.0 Pivot

**Year One**

- **DEC**: DMS 2.0 Pivot Plan Development
- **JAN**: DMS 2.0 Pivot Plan Roll-Out
- **FEB**: COVID-19 Guidance and Resource Development
- **MAR**: DMS 2.0 Protocol Feedback
- **APR**: DMS 2.0 Protocol Training and State Engagement
- **MAY**: COVID-19 Training and State Engagement
- **JUN**: COVID-19 Work
- **JUL**: Preparation for Fall Engagement
- **AUG**: State Communication about COVID-19 work
- **SEP**: Post Final Protocols and Conduct Trainings
- **OCT**: Universal TA for all States on DMS 2.0
- **NOV**: Universal TA for all States on DMS 2.0
- **DEC**: COVID-19 Work

**Q1**

- DMS 2.0 Pivot Plan Development and Implementation
- Roll-out
- Re-opening
- Guidance Resources

**Q2**

- DMS 2.0 Protocol and Process Feedback
- DMS 2.0 Training
- COVID-19 Training
- and State Engagement

**Q3**

- Preparation for Fall Engagement
- State Communication
- Post Final Protocols

**Q4**

- Cohort 1: Pre-site Work
- COVID-19 Work
- Universal TA
DMS 2.0 ROADMAP 2022
Driving excellent outcomes for infants, toddlers, children, and youth with disabilities and their families through monitoring and supporting States.

MILESTONE
Cohort 1: Pre-site Work
DMS 2.0 Phase 2 Product Development
MILESTONE
Cohort 1: Pre-site Work
DMS 2.0 Phase 2 Process Training
MILESTONE
Cohort 1: Prepare for Phase 2—Onsite/Virtual Monitoring
MILESTONE
Cohort 2: Prepare for Phase 1—Pre-site Work
MILESTONE
Cohort 1: Phase 2—Onsite/Virtual Monitoring
MILESTONE
Cohort 2: Phase 1—Pre-site Work

DMS 2.0 Pivot Year Two

Q1
Cohort 1: Pre-site Work
Phase 2 Product Development
Universal TA

Q2
Cohort 1: Pre-site Work
DMS Phase 2 Process Training
Universal TA

Q3
Cohort 1: Prep for Phase 2
Cohort 2: Prep for Phase 1
Universal TA

Q4
Cohort 1: Phase 2 Activities
Cohort 2: Phase 1 Activities
Universal TA
More information coming on DMS Pivot

- We will be scheduling a Cohort 1 State Call

- Our next DMS 2.0 Universal TA Call is scheduled for 2/25, 4PM
  - OSEP will provide additional information on our DMS Pivot
  - OSEP Funded TA Centers will spotlight relevant TA resources

- Moving forward, look for more presentations from our TA providers on DMS topics for both Part B and Part C during our monthly DMS 2.0 Universal TA Calls
Questions and Feedback

▶ Any Questions or Feedback