

POLICY GROUP 6 - SPECIAL EDUCATION
FUNDING - FEDERAL FUNDING COMPLIANCE
IDEA, TITLE I

Sec. 1. COMPLIANCE

SFA Charter School shall use Individuals with Disabilities Education Act (“IDEA”) Part B funds received to:

1. comply with the federal maintenance of effort (“MOE”) requirements;
2. supplement State, local and other Federal funds and not supplant such funds; and
3. pay the excess costs of providing special education and related services to children with disabilities and must be used to supplement State, local, and other Federal funds.

34 CFR 300.202, 20 U.S.C. 1413(a)(2).

Sec. 2. REDUCING LEVEL OF EXPENDITURES

Funds provided to SFA Charter School will not be used to reduce the level of expenditures for the education of students with disabilities made by SFA Charter School below the level of those funds for the preceding year.

20 U.S.C. 1423(a)(2)(A)(iii), Appendix E to Part 300.

SFA Charter School may reduce the level of expenditures if the reduction is attributable to:

1. Voluntary departure, retirement, or departure for just cause of special education personnel;
2. A decrease in enrollment of students with disabilities;
3. The termination of the obligation of SFA Charter School to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left SFA Charter School, aged out of services, or no longer needs special education;
4. The termination of costly expenditures for long-term purchases; or
5. The assumption of cost by the high cost fund operated by the Texas Education Agency.

34 CFR 300.204.

Sec. 3. EXCESS EXPENDITURES

Having complied with MOE and excess costs requirements, IDEA Part B funds provided to the school will be used for the following activities:

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a

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- disability in accordance with the individualized education program (“IEP”) of the child, even if nondisabled children benefit from such services;
2. To develop and implement coordinated, early intervening educational services in compliance with the child find and administration requirements, including:
 - a. Early intervening services, which may include interagency financing structures, for children in kindergarten through grade 12 (with a particular emphasis on children 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;
 - b. SFA Charter School may not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by SFA Charter School to local fiscal effort, if any, in combination with other amounts, which may include amounts other than education funds, to develop and implement coordinated, early intervening services; and
 3. To establish and implement cost or risk-sharing funds, consortia, or cooperatives for SFA Charter School, or for SFA Charter School’s working in a consortium of which SFA Charter School is a part, to pay for high-cost special education and related services.
 4. SFA Charter School may use IDEA Part B funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP that is needed for the implementation of such case management activities.

34 CFR 300.208.

Sec. 4. EARLY INTERVENING SERVICES

Funds made available for early intervening services, must supplement not supplant funds available under the Elementary and Secondary Education Act (“ESEA”).

34 CFR 300.226(e).