Special Education - Questions & Answers

Q: Special Education teachers that are paid with ARRA funds – are these only additional hires or can we transfer funding on a foundation funded Special Ed teacher to IDEA (Individuals with Disabilities Education Act) ARRA funds?

A: IDEA ARRA funds may be used to hire additional personnel. You may transfer funding from a foundation funded Special Education teacher unit or a locally funded Special Education unit to IDEA ARRA funds as long as you continue to meet maintenance of effort (MOE) requirements.

Q: Why is our district not on the list for 50% reduction in MOE (Maintenance of Effort)?

A: Your district is not eligible to reduce MOE because the district did not meet the compliance targets for the compliance indicators in the State Performance Plan (SPP). The following eight compliance indicators and targets were used to make this decision:

- Indicator 9: Disproportionality in special education due to inappropriate identification (0%)
- Indicator 10: Disproportionality in specific disability categories due to inappropriate identification (0%)
- Indicator 11: Initially evaluated within 60 day timeline (100%)
- Indicator 12: IEP developed and implemented before 3rd birthday (100%)
- Indicator 13: Transition components addressed in IEP (100%)
- Indicator 15: Noncompliance corrected within one year (100%)
- Indicator 20: Submitted data for Child Count and Annual Data Report by deadline (100%)
- Audit finding by SDE Finance cleared (100%)

If you failed to meet one or more of these targets, the district did not meet requirements for the determination status for fiscal year 2010.

Q: What must we do to get the waiver?

A: There is no waiver for this year. To qualify next year, you must meet all compliance targets in the State Performance Plan.

Q: How are funds to be used if not granted a reduction in MOE?

A: All IDEA ARRA funds are to be used to fund special education and related services for students with disabilities consistent with the current IDEA, Part B, statutory and regulatory requirements.
Q: Can you use IDEA Part B funds to partner with ARCs (Association for Retarded Citizens) to use their coordinators?

A: IDEA ARRA funds may be used to work in conjunction with ARCs through contracting methods. Systems may want to consider contracting with ARCs to assist in job coaching and job placement opportunities.

Q: Can IDEA funds be used in ADA (Americans with Disabilities Act) compliance renovation/construction cost to bring buildings to code?

A: IDEA ARRA funds may be used to assist school systems in meeting building codes related to issues of accessibility for disabled individuals. Use of funds in this manner may include ramping entrance ways, making bathroom facilities wheelchair accessible, expanding doorways for accessibility, and renovations of this nature. Caution must be applied to ensure IDEA ARRA funds are not used to provide general renovations that are not related to the disabled population.

Q: Why are all systems not getting to reduce MOE for 2009?

A: The second Q&A above provides the answer to this question. All systems which have the availability to reduce MOE must meet the eight compliance indicators and the associated targets.

Q: In the example for a Medium District what happens to the 17.2 teacher units after two years and the stimulus money is no longer available? How will they be paid?

A: Caution must be applied in the use of the IDEA ARRA funds for personnel. Personnel paid through these funds will have to be absorbed through other funding streams after the IDEA ARRA funds are no longer available.

Q: What were the dates used in determining MOE reduction eligibility for special education?

A: Eligibility for the 50% MOE reduction was determined from data collected from July 1, 2007 to June 30, 2008. These were the collection dates that the Office of Special Education Programs (OSEP) required the Alabama Department of Education to use in our report to OSEP on the State Performance Plan.