## Funding

# USE OF IDEA PART B FUNDS FOR TITLE I SCHOOLWIDE

PROGRAMS

August 31, 2022



**Disclaimer:** This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

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### Use of IDEA Part B Funds for Title I Schoolwide Programs

#### What is Required

Title I, Part A (Improving Basic Programs Operated by Local Educational Agencies) of the Elementary and Secondary Education Act ("ESEA") provides supplemental funding to the District to acquire additional education resources for schools serving high concentrations of students from low-income households. This funding is intended to improve the quality of education programs and to ensure students from low-income families have opportunities to meet state assessment standards.

Notwithstanding provisions related to commingling of funds, the District may use funds received through Part B of the IDEA ("IDEA-B") for any fiscal year to carry out a Title I, Part A schoolwide program under the ESEA. However, the amount may not exceed the following:

- The amount received by the District under IDEA-B for that fiscal year, *divided by*:
- The number of students with disabilities in the jurisdiction of the District, *and multiplied by*:
- The number of students with disabilities participating in the schoolwide program.

All funds must be considered IDEA-B funds in compliance with maintenance of effort and excess costs requirements. *See* [MAINTENANCE OF EFFORT] and [EXCESS COSTS].

#### Meeting Other Part B Requirements

The District must meet all other requirements for using IDEA-B funding. *See* [USE OF IDEA PART B FORMULA AMOUNTS PERMISSIVE] and [USE OF IDEA PART B FORMULA AMOUNTS IN GENERAL]. This includes ensuring that students with disabilities in schools with schoolwide programs receive services in accordance with a properly developed IEP and are afforded all of the rights and services guaranteed to students with disabilities under the IDEA.

#### **Additional Procedures**

#### Use of Funds

The District should consider any funds used to carry out a program under Title I, Part A to be IDEA-B funds for calculation purposes required under applicable federal regulations. If the District consolidates funds under IDEA-B, it may use those funds in its schoolwide program for any activities under its comprehensive schoolwide plan as long

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as it complies with all other IDEA-B requirements.

#### Provision of Special Education and Related Services

Regardless of how the District expends IDEA-B funds, the District must provide special education and related services in accordance with a student's IEP within a Title I schoolwide program. Further, all students with disabilities within a Title I schoolwide program must be afforded all of the rights and services guaranteed to students with disabilities and their parents under the IDEA-B.

#### **Evidence of Implementation**

- ARD/IEP
- Implementation of Title I Schoolwide Programs
- Funds Not to Exceed Allowed Amount
- Compliance with IDEA-B regulations
- Provision of Special Education and Related Services

#### **Resources**

Use of IDEA Part B Funds for Title I Schoolwide Programs - Region 18

Micro-Purchase Flexibility under EDGAR - Texas Education Agency

Title I, Part A: Improving Basic Programs - Texas Education Agency

Letter to Manasevit - U.S. Department of Education (Aug. 24, 2004)

Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program - U.S. Department of Education

#### CITATIONS

Board Policy EHBC and EHBD; 20 USC 6314; 34 CFR 300.206(a)–(c)