

INSTRUCTIONS

**INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004
(IDEA)
(20 U.S.C. 1400 et seq.)**



STATE OF NEW HAMPSHIRE
**American Recovery
and Reinvestment Act**



REQUEST FOR IDEA RECOVERY FUNDS

Prepared By
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Bureau of Special Education
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Title IV, VI, and VII of the Civil Rights Act of 1964 – race color, national origin
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The Age Discrimination Act of 1975
Title IX of the Education Amendments of 1972 (Title IX) - sex
Section 504 of the Rehabilitation Act of 1973 (Section 504) - disability
The Americans with Disabilities Act of 1990 (ADA) - disability
NH Law Against Discrimination (RSA 354-A)

The following individual has been designated to handle inquiries regarding the nondiscrimination policies and laws above except Section 504:

Brenda Cochrane
ADA/Title IX Coordinator
NH Department of Education
101 Pleasant Street
Concord, New Hampshire 03301-3860
(603) 271-3743

Inquiries regarding Section 504 should be directed to:

Robert Wells
Section 504 Coordinator
NH Department of Education
101 Pleasant Street
Concord, New Hampshire 03301-3860
(603) 271-1536

Inquiries regarding Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Title IX, Section 504, and/or Title II of the ADA also, or instead, may be directed to:

U.S. Department of Education
Office for Civil Rights
33 Arch Street, Suite 900
Boston, MA 02110-1491
(617) 289-0111
TDD 877-521-2172



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The REQUEST FOR FEDERAL IDEA RECOVERY FUNDS allows a local education agency (LEA) to apply for IDEA-B Recovery & Preschool Recovery funds in one application. At its simplest, the REQUEST FOR FEDERAL IDEA RECOVERY FUNDS consists of a cover page, and a one or multiple page project description and any requests for funds for CEIS or private school activities. Requests which include more than one LEA must also include a consolidated agreement. Each part of the application is explained in detail in these instructions. The application will be for the first 50 percent of the American Recovery and Reinvestment Act funds.

**REMEMBER THAT THESE FUNDS ARE ONLY FOR TWO YEARS AND MUST BE OBLIGATED
BY SEPTEMBER 30, 2011**

COVER PAGE - IDENTIFYING INFORMATION - Application Page 1

Project Start and End Dates should be the anticipated dates services will be provided with federal IDEA Recovery special education funds. The start date cannot be earlier than the date the request is received at the Department of Education. Funds must be obligated by September 30, 2011 and spent by December 31, 2011.

Agency Responsible for Programmatic and Fiscal Administration is the LEA which will be receiving the federal IDEA Recovery funds, establishing and maintaining the federal IDEA Recovery ledgers, hiring or contracting with personnel to provide services, purchasing equipment and materials, tracking activities and reporting to the Department of Education. The Project Manager is the person designated by the Superintendent as responsible for the day-to-day management of all aspects of the project including approving disbursements of funds. The Project Manager must be an employee of the Agency Responsible for this project. The Superintendent and the Project Manager may assign the role of Contact Person to another individual who is also an employee of the Agency responsible for this project. If you have chosen to do this, please include the contact person's name and contact information.

PROJECT DESCRIPTION – Application Page 2

The Department of Education (DoE) is providing this template in word file format for the initial formation of the application. By May 15, 2009 the application will be on a secure website for districts to input the information from the template into the web-based application. Applicants may use word processing capabilities to cut and paste from the word file to the on-line page and format.

In order to receive federal IDEA Recovery funds, each LEA is required to submit a Request for Federal IDEA Recovery Funds application, which must include a description of how the LEA will use the funds.

REMEMBER THAT THESE FUNDS ARE ONLY FOR TWO YEARS ENDING SEPTEMBER 30, 2011

Priority to be Addressed “*Priority to be Addressed*” refers to the focus that will be targeted by the activities. When determining one or more priorities, consider the needs of students with disabilities in your LEA, especially needs that have been identified through the state-to-local monitoring process, systemic issues identified through dispute resolution, corrective actions, or other data.



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If you select more than one priority area that are strongly connected to one another (for example, you might engage in specific activities geared to both prevent drop-out and to increase high school graduation rates as two interconnected priority areas) then you may list them on one area of Priority to be Addressed section and then provide data on both. However, if you decide that your project will address multiple but diverse priority areas (such as a focus on early transitions and drop-out with some of the funds being used for both) then those priorities must be listed on separate sections. Please be aware that your activities must be aligned to the priority area.

Note: The *Priority to be Addressed* for IDEA Recovery funds includes children ages 3 to 21. The *Priority to be Addressed* for Preschool Recovery funds includes children ALREADY identified with a disability ages 3 through 5 only. ***Preschool Recovery Funds may not be used for evaluation and child find activities.***

State and federal priorities, based on the Special Education State Performance Plan, are listed below:

High School Graduation Increase the percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth graduating with a regular diploma.

Drop Out Reduction Reduce the percent of youth with IEPs dropping out of high school compared to the percent of all youth dropping out of high school.

Statewide Assessment Increase the participation rate on statewide assessments by children with disabilities.

Increase proficiency rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; and alternate assessment against alternate achievement standards.

Suspension and Expulsion Reduce the discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year;

Reduce the discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year by race and ethnicity.

School-Age Least Restrictive Environment Increase the percent of children with IEPs aged 6 through 21 educated with non-disabled peers to the maximum extent appropriate.

Preschool Least Restrictive Environment Increase the percent of preschool children with IEPs who receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

Preschool Outcomes

Increase the percent of preschool children with IEPs who demonstrate improved outcomes in the following areas:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Parent Involvement Increase the percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Disproportionality Zero percent disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.



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Evaluation (Section 611 funds ONLY) 100% of children with parental consent to evaluate will be evaluated and eligibility determined within state established timeline of 45 days.

Early Transition 100% of children referred by Family-Centered Early Supports & Services (Part C of IDEA) prior to age 3, who are found eligible for special education (Part B of IDEA), have an IEP developed and implemented by their third birthdays.

Secondary Transition 100% of youth aged 16 and above has an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Post School Outcomes Increase the percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

Other LEAs may select a priority based on locally identified needs. If you do not select one of the above priorities, please write "other" in the priority box and provide a brief description of the priority you have selected.

Allowable Costs and Activities

PLEASE TAKE NOTE that while it is possible to request funds from both funding sources on one section, it is not required that you do so. If you wish to request IDEA-B Recovery and Preschool Recovery 619 funds separately, you may do so. Also, if the request is for both sources of funds and targets more than one priority, it is not required that both funding sources be utilized for all priorities or all activities.

The description of *Activities* allows the applicant to request funds from both federal recovery funding sources to support specific activities that benefit children with disabilities. All the activities which will be implemented to support the *Priority* described at the top of the section must be listed separately. In the second column indicate the Function and Object Codes, from The New Hampshire Financial Accounting Handbook for Local Education Agencies 1999 Edition, which will identify these activities in the federal recovery ledgers. Please work closely with your Business Administrator to ensure appropriate function/object codes are identified. In the first column, state what the specific activities will be. In the last two columns, indicate the amount of funds to be allocated to each activity from each of the funding sources. Total the funds at the bottom of each column.

Employees/Personnel: Object codes of 100 When using Object Code Series 100, function/object codes, position titles, incumbent or vacant, and dollar amounts that will coincide with the amount listed under Activities.

Instructional equipment and computer hardware

Instructional equipment is defined as any item with a purchase price of \$100.00 or more and a life expectancy of more than one year. To be purchased with federal funds, instructional equipment and computer hardware must be necessary to implement activities which address the priorities described in this request. The items should be listed on the Activity with a description that the activity it supports. The Federal Funds Financial Management Manual states on page 3 that "Equipment must be specifically identified and justified. Justification should include its purpose, why it is necessary, how it will be used, and number of people it will serve or workload it will fulfill." While it is not necessary to identify a specific brand name, it is necessary to identify each type of item purchased, the quantity and the cost. For example: 2 personal computers @ \$1,500.00 each and 1 printer @ \$150.00 to be used for language arts instruction, by 20 students with disabilities, in the elementary resource room.

It is still the fiscal agent's responsibility to establish and maintain an inventory. If the purchase price is \$100.00 or more and the life expectancy of the item is more than one year, the item must be inventoried. The inventory list must be submitted to the Department of Education at the end of the year and the equipment must be available for inspection during monitoring and auditing activities.



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Administrative Case Management

A local education agency may use funds received under this part to purchase technology or services in (a) through (e) below:

- (a) Scheduling IEP meetings;
- (b) Coordinating evaluations and IEP drafting;
- (c) Visiting potential student placement environments;
- (d) Communicating with a parent; and
- (e) Updating progress reports for meeting IEP goals.

Purchased Services Contracts and Agreements

In cases where the contract or purchased services agreement is negotiated with a sole source of procurement and the aggregate amount of expenditure will exceed \$5,000.00, page 34 of the Federal Funds Financial Management Manual **requires** their submission to the Department of Education for prior approval. Contracts LEAs enter into with individual related services providers or private educational agencies or institutions fall into this category when the contract price is greater than \$5,000.00. If the contract amount is less than \$5,000.00 for each individual related services providers or private educational agencies or institutions then please indicate this on the project description page. In all contract situations, whether short or long term, negotiated or competitively bid, the fiscal agent for federal funds must adhere to the procurement standards described on pages 33 and 34 of the Federal Funds Financial Management Manual. The original copy of any contract must be kept with the financial records of the project.

A partial list of allowable costs for IDEA Recovery funds is included below; also see FY'09 Memo #34
<http://www.ed.state.nh.us/education/doe/organization/instruction/SpecialEd/Memos/FY09Memorandum.htm>

I. Assistive Technology:

- a. Assistive technology device:
Any item, piece of equipment, or product system, whether acquired commercially or off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.
- b. Assistive technology service: Any service that directly assists a child on an IEP in the selection, acquisition or use of an assistive technology device includes:
 1. The evaluation of the needs of the child, including a functional evaluation of the child in the child's customary environment;
 2. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices for the child;
 3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
 4. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
 5. Training or technical assistance for the child, or where appropriate, the family of the child; and
 6. Training or technical assistance for professionals (including individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of the child).

II. Instructional Equipment: which includes,

1. Computer;
2. Telecommunications, sensory and other technological aids and devices;
3. Specialized furniture and equipment.



III. Related services, which means:

Developmental, corrective, and other supportive services such as but not limited to:

1. Audiology services;
2. Psychological services;
3. Physical, occupational and speech therapy;
4. Recreation, including therapeutic recreation;
5. Social work services;
6. Counseling services, including rehabilitation counseling;
7. Orientation and mobility services;
8. Medical services, (except that such medical services shall be for diagnostic and evaluation purpose only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions to children;
9. Speech and language services;
10. Transportation, and
11. Travel training.

IV. Special education, which means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including:

- a. Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings.
- b. Instruction in physical education.
- c. Other services identified as special education services within the IDEA.

V. Supplementary aids and services, which means, aids, services, and other supports that are provided in general education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate.

VI. a. Early Transition from Family-Centered Early Supports & Services to Preschool Special Education activities to promote smooth and effective early transitions may include but are not limited to:

1. Home visits;
2. Development of local interagency agreements and/or memorandums of understanding;
3. Parent support groups or focus groups;
4. Cross-agency professional development and technical assistance;
5. Direct services related to transition;
6. In-depth assessment of local policies, practices and procedures as well as data analysis to determine effectiveness of early transitions.

b. Transition services, which mean a coordinated set of activities for a student with a disability that are designed within an outcome-oriented process, which promotes movement from school to post school activities, including:

1. Post-secondary education;
2. Vocational training;
3. Integrated employment (including employment);
4. Continuing and adult education;
5. Adult services;
6. Independent living, or
7. Community participation.



c. Transition services are based upon the individual student’s needs taking into account student’s preferences and interests, and include:

1. Instruction;
2. Related services;
3. Community experiences;
4. The development of employment and other post-school adult living objectives;
5. When appropriate, acquisition of daily living skills; and,
6. A functional vocational evaluation.

VII. The IDEA Recovery Part B funds may also be used to fund “Child Find” Activities. These are activities which will be used to find and locate all children with disabilities residing in the school districts of the supervisory unit, including children with disabilities attending private/independent schools, including parochial, elementary and secondary schools. After finding and evaluating the children, determine which children are eligible and in need of special education and related services.

NOTE: PRESCHOOL RECOVERY MONIES MAY NOT BE USED FOR PRESCHOOL CHILD FIND ACTIVITIES

VIII. Personnel preparation including in-service training. Any professional developmental activity must be aligned with district’s staff development plan. Districts may use IDEA Recovery or Preschool Recovery funds to support participation in the Preschool Technical Assistance (PTAN). This allows for enhanced regional and statewide activities related to preschool special education professional development and technical assistance.

IX. Instructional Materials: This includes:

1. Printed, published, and audio-visual instructional materials;
2. Books, periodicals, documents, and other related materials;
3. Software, test kit containing only consumables, (test kits & assessment tools that are over \$100 and shelf life of more than a year are considered equipment).

***COORDINATED EARLY INTERVENING SERVICES (CEIS) FOR STUDENTS (K-12)
WHO HAVE NOT BEEN IDENTIFIED AS NEEDING SPECIAL EDUCATION SERVICES
Application Section (DISTRICT OPTION) Application Page 4***

An LEA may (or in some cases must) use up to 15 percent of the total amount it receives under IDEA Part B (Section 611), Preschool Special Education (Section 619) and the IDEA Recovery: Part B and Preschool funds for coordinated early intervening services for children in grades K through 12 who are not currently identified as children with disabilities, but who need additional academic and behavioral support to succeed in a general education environment. However, an LEA may use only up to 15 percent of its total allocation for Fiscal Year 2010 minus any amount (on a dollar-for-dollar basis) by which the LEA reduced its required state and local expenditures under section 613(a)(2)(C), in combination with other amounts which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment. Please include the estimated number of students who will benefit from CEIS for all CEIS activities. If the LEA chooses to spend a portion of its IDEA Recovery: Part B and Preschool funds allocation on Coordinated Early Intervening Services, they must complete the section of the application.



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Each LEA that develops and maintains CEIS must report to the State on the number of children who received CEIS and the number of those who subsequently received special education and related services under Part B of IDEA in the two-year period after receiving CEIS. State education agencies (SEAs) and LEAs must maintain these records for audit and monitoring purposes. (OSEP memo 08-09, July 2008.) The NHDOE will follow up at the end of the year to get the actual number of students under this requirement.

Using IDEA Part B and/or IDEA Recovery funds for CEIS may impact the district's ability to reduce MOE. Guidance from OSEP is expected.

Coordinated Early Intervening funds may be used for:

- a. Professional Development Activities in the Area of:
 1. Scientifically Based Academic Instruction;
 2. Behavioral Interventions;
 3. Scientifically Based Literacy Instruction; and
 4. Instruction in Adaptive and Instructional Software.
- b. Educational or Behavioral Evaluations
- c. Educational Services and Supports
- d. Behavioral Services and Supports
- e. Scientifically Based Literacy Instruction

**CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS
IN PRIVATE SCHOOLS ACTIVITY DESCRIPTION - *Application Page 5***

Each LEA must spend the proportionate share of the LEA's FY' 2010 IDEA Part B entitlement funds to provide special education and related services (including direct services) to parentally placed private school children with disabilities. For FY '2010, the LEA must **also include the district's total allocation of IDEA Recovery Funds Part B (only) in addition to the entitlement funds** when determining the proportional share. The calculation also includes the number of private school children with disabilities who are enrolled by their parents in private, including religious elementary schools and secondary schools located in the school district *and* the total number of children with disabilities in its jurisdiction aged 3 through 21. The number of private school children must be determined between October 1 and December 1, inclusive, of each year.

Under section 612(a)(10)(A)(iii), timely and meaningful consultation with private school representatives and representatives of parents of parentally placed private school children with disabilities must occur during the design and development of special education and related service for these children. The consultation process must include discussions of "how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child find process may meaningfully participate in special education and related services."

In a separate application (the Annual Request for Special Education IDEA funds), LEAs will calculate the amount of federal funds required to be spent on children with disabilities enrolled by their parents in private schools. Also in that application, LEAs have been asked to indicate the amount of funds to be requested through each funding source (IDEA Part B entitlement funds and IDEA Recovery Part B funds). The total of those funds must equal the funds carried forward from FY'09 plus the proportional share for FY'10. For purposes of this application, the Activity Description and amount of funds requested is only for activities funded with IDEA Recovery funds (Part B only). LEAs will provide a description of any activities funded through the IDEA Part B entitlement funds in a separate application.



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CONSOLIDATED AGREEMENT – Application Page 6

When a request includes funds from more than one LEA, a Consolidated Agreement must be completed.

In item #1, fill in the name of the LEA which will be the Administrative Agent for all activities covered by this request. In item #2, fill in the name of the Project Manager. Both the Administrative Agency and the Project Manager must be the same as indicated on the cover page.

List each separate school district participating in this request. Indicate the date each local school board approved this participation and the amount it allocated to this project. Usually the amount allocated is equal to the district's entitlement. The Superintendent or other authorized personnel must sign and date the form for each school district participating.

MAINTAINING FINANCIAL RECORDS FOR COMPLIANCE AND AUDIT PURPOSES

IDEA Recovery and Preschool Recovery must be kept separate for Financial Records.

Hand written Federal Funds Ledgers with the required four files of documentation must be maintained unless the fiscal agent has received written authorization from the Department of Education to use an alternative system such as a computerized ledger. See the Federal Funds Financial Management Manual for information on requesting permission to use computerized accounting systems.

EDGAR Regulations (34 CFR §74.21 and §74.22) require that financial records and supporting original documents must be kept for at least three years except that if litigation is pending they must be retained until the completion of the action. The three year retention period starts the day the final financial report is filed with the DOE. The Federal Funds Financial Management Manual requires that unaudited records "be maintained for 5 years after the date of submission of the annual expenditure report to the SEA.