

<b>DATE:</b>	<b>March 7, 2019</b>
<b>SUBJECT:</b>	<b>LEA Preparation for 2017–2018 Preliminary IDEA-B LEA MOE Compliance Reviews</b>
<b>CATEGORY:</b>	<b>Funding Implications and Upcoming Deadline</b>
<b>NEXT STEPS:</b>	<b>LEAs should begin collecting/preparing exceptions data/documentation for submission to TEA, if applicable</b>

The purpose of this letter is to alert local educational agencies (LEAs) to the anticipated release date of 2017–2018 preliminary Individuals with Disabilities Education Act, Part B (IDEA-B) LEA maintenance of effort (MOE) compliance reviews and to provide a timeline for LEA response to preliminary reviews.

### Anticipated Release of 2017–2018 Preliminary IDEA-B LEA MOE Compliance Reviews

TEA plans to release 2017–2018 preliminary IDEA-B LEA MOE compliance reviews in early April 2019. LEAs will access the reports through the secure GFFC Reports and Data Collections application.

### Timeline for LEA Responses to Preliminary Compliance Reviews

When preliminary reviews are released, the 2017–2018 Exceptions/Adjustment Workbook will also be available in GFFC Reports and Data Collections and on the [IDEA-B LEA MOE](#) page of the TEA website.

LEAs will have **five business days** from the date the 2017–2018 preliminary IDEA-B LEA MOE compliance reviews are published in GFFC Reports and Data Collections to submit any of the following:

- Applicable federal statutory exceptions
- Adjustment to fiscal effort
- Local methodology with supporting documentation for validation and approval in the final calculation

To help LEAs ensure they are prepared to respond within the required five business days, **TEA encourages LEAs to begin reviewing and compiling any documentation planned to be submitted to TEA** when the Exceptions/Adjustments Workbook becomes available.

### Allowable Federal Statutory Exceptions

The following federal statutory exceptions and/or adjustment to fiscal effort considerations are allowable:

- The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel
- A decrease in the enrollment of children with disabilities
- The termination of the obligation of the agency, consistent with IDEA-B, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by TEA, because the child has left the jurisdiction of the agency; has reached the age at which the obligation of the agency to provide FAPE to the child has terminated; or no longer needs the program of special education.

- *An exceptionally costly program to a particular child with a disability is a program with a cost greater than \$9,759.*
- The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities
- The assumption of cost by the high cost fund operated by TEA under Title 34 of the Code of Federal Regulations (CFR) 300.704(c)
- The adjustment to fiscal effort provision under 34 CFR 300.205

For more detailed information on allowable exceptions and considerations, please refer to the IDEA-B LEA MOE Guidance Handbook, posted on the [IDEA-B LEA MOE](#) page of the TEA website.

### **Anticipated Release of 2017–2018 Final IDEA-B LEA MOE Compliance Reviews**

TEA anticipates releasing final IDEA-B LEA MOE compliance reviews in May 2019.

### **Revised IDEA-B LEA MOE Calculation Tool Now Available**

Also on the [IDEA-B LEA MOE](#) page of the TEA website, TEA has posted the updated IDEA-B LEA MOE Calculation Tools and Data Sources document for the 2017–2018 cycle. LEAs should use this revised/updated calculation tool to perform their own internal calculations to compare with TEA’s preliminary reviews and to make sure that results match.

### **IDEA-B LEA MOE Timeline for Spring 2019**

The following table lists milestones for the IDEA-B LEA MOE process:

<b>Date</b>	<b>Action</b>
April 2019	TEA posts <b>preliminary</b> IDEA-B LEA MOE Compliance Review reports in GFFC Reports and Data Collections, accessible through <a href="#">TEAL</a> .
<b>Within 5 business days after preliminary reports are posted</b>	<b>Due date for LEAs to submit Exceptions Workbook to GFFC Reports and Data Collections</b> (accessible through <a href="#">TEAL</a> ) <b>for TEA consideration in the final compliance calculation.</b>
May 2019	TEA posts <b>final</b> IDEA-B LEA MOE Compliance Review reports in GFFC Reports and Data Collections, accessible through <a href="#">TEAL</a> .

### **Resources**

Please refer to the [IDEA-B LEA MOE](#) page of the TEA website for further information and additional resources regarding IDEA-B LEA MOE.

### **For Further Information**

With any questions regarding the IDEA-B LEA MOE compliance review process, please email the Federal Fiscal Compliance and Reporting Division at [compliance@tea.texas.gov](mailto:compliance@tea.texas.gov).