

Compliance

It is the policy of Universal Academy open-enrollment charter school to use 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 USC §1413(a)(2)).

Reducing Level of Expenditures

Funds provided to Universal Academy open-enrollment charter school will not be used to reduce the level of expenditures for the education of students with disabilities made by Universal Academy open-enrollment charter school below the level of those funds for the preceding year. (2 USC §1423(a)(2)(A)(iii), Appendix E to Part 300)

Universal Academy open-enrollment 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 Universal Academy to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left Universal Academy, aged out of services, or no longer needs special education
- 4) The termination of costly expenditures for long-term purchases
- 5) The assumption of cost by the high cost fund operated by TEA

(34 CFR §300.204)

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Excess Expenditures

It is the policy of Universal Academy open-enrollment charter school that 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 a child with a disability in accordance with the IEP of the student, even if nondisabled students benefit from such services;
- 2) to develop and implement coordinated, early intervening educational services in compliance with student find and general administration requirements, including:
 - 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 are not currently identified as needing special education or related services but who need additional behavioral and academic support to succeed in a general education environment;
 - the school will not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by the 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;
- 3) to establish and implement cost or risk-sharing funds, consortia, or cooperatives for the school itself, or for LEAs working in a consortium of which the school is a part, to pay for high-cost special education and related services consistent with distribution of high-cost risk pool funds;
- 4) the 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.

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(34 CFR §§300.208, 20 USC §1413(a))

Early Intervening Services

Funds made available for early intervening services, must supplement not supplant funds available under the ESEA. (34 CFR §300.226(e))

Use of IDEA Part B funds for Title 1 Programs

Notwithstanding any other provisions related to commingling of funds, Universal Academy open-enrollment charter school may use IDEA Part B funds received for any fiscal year to carry out a Title 1, Part A school wide program under the ESEA, except that the amount may not exceed:

- the amount received by the school under IDEA Part B for that fiscal year; divided by
- the number of students with disabilities in the jurisdiction of the school; and multiplied by
- the number of students with disabilities participating in the school wide program.

(34 CFR §300.206; 20 USC §1413)