

LOCAL EDUCATION AGENCY PLAN

FOR THE INDIVIDUALS

WITH DISABILITIES

EDUCATION ACT

PART B

Please return Grant Application to:

Margaret Schelley
Department of Education
120 State Street
Montpelier, Vermont 05620-2501

SUPERVISORY UNION: _____

IDEA-B BASIC FISCAL YEAR 2010 **ONLY**

| | | |
|------------------------------------|---------------------|---------------------|
| LOCAL EDUCATION AGENCY PLAN | IDEA-B BASIC | SU No. _____ |
| For Regular and ARRA Funds | | FY-2010 |

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Assurances Regarding Implementation during
State Fiscal Year 2010
for
Part B of the
Individuals with Disabilities Education Improvement Act,
As Passed in 2004
With implementing federal regulations effective October 13, 2006
and
State Board of Education Rules Effective September 17, 2007

For the purposes of implementing provisions of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, the

(Type name of school district or supervisory union)

assures that throughout the period of the grant award, this school district/supervisory union will comply with the requirements of the IDEA-B, Subpart C- Local Educational Agency Eligibility.

“An LEA is eligible for assistance under Part B of the Act for a fiscal year if the agency submits a plan that provides assurances to the State Educational Agency that the LEA meets each of the conditions in §§300.201 through 300.213, authority: 20 U.S.C. 1413(a).” (34 CFR § 300.200).

The supervisory union/school district assures that it will provide the Department with information necessary to complete the Annual Performance Report. This will enable the Department to carry out its duties under Part B of the Act, including providing information relating to the performance goals and indicators that the Department must annually report to the Secretary of the U.S. Office of Education and the public. (34 CFR §§ 300.211 and 300.157)

The supervisory union/school district assures that all personnel necessary to carry out Part B of the Act are appropriately and adequately prepared, subject to the requirements of 34 CFR § 300.156 (related to personnel qualifications) and section 2122 of the Elementary and Secondary Education Act (ESEA). (34 CFR § 300.207)

ASSURANCES

FY-2010

Purchase of instructional materials:

(a) The supervisory union/school district assures that if it chooses to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, it must acquire those instructional materials in the same manner, and subject to the same conditions as the Department under §300.172.

(b) Rights of supervisory union/school district.

- (1) Nothing in this section shall be construed to require an LEA to coordinate with the NIMAC.
- (2) If the supervisory union/school district chooses not to coordinate with the NIMAC, the supervisory union/school district provides an assurance to the Department that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner.
- (3) Nothing in this section relieves a supervisory union/school district of its responsibility to ensure that children with disabilities who need instructional materials in accessible formats, but are not included under the definition of blind or other persons with print disabilities in §300.172(e)(1)(i) or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner. (34 CFR § 300.210) (Authority: 20 U.S.C. 1413(a)(6))

The supervisory union/school district assures that it will cooperate in the Secretary's efforts under section 1308 of the ESEA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding those children. (34 CFR § 300.213) (Authority: 20 U.S.C. 1413(a)(9))

The supervisory union/school district assures that it will make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under Part B of the Act. (34 CFR § 300.212) (Authority: 20 U.S.C. 1413(a)(8))

The supervisory union/school district assures that in providing for the special education of children within its jurisdiction it shall have in effect policies, procedures, and programs that are consistent with the IDEA of 2004, Vermont statutes, and the State Board of Education's special education regulations, policies and procedures. (34 CFR § 300.201) (Authority: 20 U.S.C. 1413(a)(1))

Assurances Regarding Non-Supplanting and Maintenance of Effort

The supervisory union assures that these grant funds will only be used to supplement State, local and other Federal funds and not to supplant those funds. The supervisory union further assures that supplanting will not occur because the funds from this grant award will not be used to reduce the total special education expenditures for the fiscal year 2010 from the amount expended for fiscal year 2009. The special education expenditures from State and local funds will be used for

ASSURANCES

FY-2010

the calculation. Medicaid reinvestment dollars will not be counted as State or local funds for this purpose. The supervisory union assures that if the total expenditures for special education do not pass the Non-Supplanting test, the expenditures divided by the number of special education students will result in the supervisory union maintaining its level of support on a per-capita basis. The supervisory union will have on file documentation to demonstrate that the requirement is met. (34 CFR §300.203)

Option to Adjust Local Maintenance of Effort Requirement:

The supervisory union

_____ elects

_____ elects not

to exercise the provision under 34 CFR § 300.205 for fiscal year 2009-2010 concerning the adjustment of local maintenance of effort requirement. For any fiscal year in which the allocation of the IDEA-B basic grant funds for the supervisory union exceeds the allocation for the previous fiscal year, the supervisory union may reduce the level of expenditures from other funds by not more than 50 percent of the increase. If the supervisory union elects to reduce the level of expenditures as allowed above,

- the supervisory union **shall** use an amount of local funds equal to the reduction in maintenance of effort to carry out activities authorized under the Elementary and Secondary Act of 1965 as amended and
- the amount of funds so used decreases the amount of funds that the supervisory union can use for early intervening services as defined in IDEA 2004 for students grades K-12 with emphasis on grades K-3.

Limitation on the exception to the local maintenance of effort requirements: If the Vermont Department of Education has determined that the supervisory union is not meeting the requirements of IDEA Part B, including the targets in the state's performance plan, the SEA shall prohibit the supervisory union from reducing its maintenance of effort as allowed above for any fiscal year. (34 CFR §300.205(c))

 (Type name and title of Superintendent who has authority to make all assurances above on behalf of the school board)

 (Signature)

 (Date)

BUDGET FOR THE USE OF PART B FUNDS**FY-2010****General Requirements Concerning Use of Grant Funds**

This section contains a budget which indicates how this Supervisory Union proposes to use “IDEA-B Flow Through” funds for children ages 3 up to the 22nd birthday, for the period July 1, 2009 through June 30, 2010. These funds cannot be used for costs incurred prior to the date the Department of Education receives this application in substantially approvable form. A separate budget is submitted for IDEA-B PreSchool funds for children ages 3 up to the 6th birthday. The budget which follows as well as the budget for PreSchool funds details how the funds will be spent and how those expenditures relate to providing special education and related services for children with disabilities or other expenditures allowed under the IDEA.

Proportionate Share Funding Requirement

For both the IDEA-B Basic and Pre-School Flow Through Grants, an amount is required to be set aside for children enrolled in private or independent schools by their parents when the school is located within the geographic boundaries of the supervisory union. The portion of the supervisory union’s IDEA-B FY-2010 combined regular and ARRA allocation that must be used for the provision of special education and related services to parentally placed students eligible for special education is calculated by the following formula:

IDEA-B Basic Flow Through Share of FY-2010 Allocation:

$$\frac{\text{Number of privately placed eligible students – ages 3-21}}{\text{Total number of students with disabilities – ages 3-21}}$$

IDEA-B Preschools Flow Through Share of FY-2010 Allocation:

$$\frac{\text{Number of privately placed eligible students – ages 3-5}}{\text{Total number of eligible students with disabilities – ages 3-5}}$$

The number of privately placed eligible students with disabilities is the number of students on the December 1, 2008 child count in categories 2, 3 & 7. The total number of eligible students with disabilities is the number of students on the December 1, 2008 child count in categories 2, 3, 4, 6 & 7.

The amount to be budgeted for services to parentally placed students include the portion calculated above of the FY-2010 combined regular and ARRA allocation and any carryover of the proportionate share funds from FY-2009. Budget items relating to use of these proportionate share funds in the FY-2010 application must indicate how you plan to serve privately placed eligible students with disabilities or students on services plans.

PARTICIPATING DISTRICTS

FY-2010

Identify the chairperson of each Supervisory Union and School District and give the name and address of each district on whose behalf this application is being submitted (**attach additional sheet, if necessary**). Use the first box for the supervisory union/district and the rest for the member school districts.

| | |
|----------------------------------|----------------------------------|
| Name of Supervisory Union | Name of School District |
| Name of Board Chairperson | Name of Board Chairperson |
| Address of Above Person | Address of Above Person |
| Address (Continued) Phone # | Address (Continued) Phone # |
| Name of School District | Name of School District |
| Name of Board Chairperson | Name of Board Chairperson |
| Address of Above Person | Address of Above Person |
| Address (Continued) Phone # | Address (Continued) Phone # |
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PARTICIPATING DISTRICTS

FY-2010

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| | | | |
|---------------------------|---------|---------------------------|---------|
| Name of School District | | Name of School District | |
| Name of Board Chairperson | | Name of Board Chairperson | |
| Address of Above Person | | Address of Above Person | |
| Address (Continued) | Phone # | Address (Continued) | Phone # |
| Name of School District | | Name of School District | |
| Name of Board Chairperson | | Name of Board Chairperson | |
| Address of Above Person | | Address of Above Person | |
| Address (Continued) | Phone # | Address (Continued) | Phone # |
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| | | |
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| LOCAL EDUCATION AGENCY PLAN | IDEA-B BASIC | SU No. _____ |
| NON-PARTICIPATING DISTRICTS | | FY-2010 |

Identify the chairperson and give the name and address of any member school districts in the Supervisory Union, which has voted Not to participate in the submission of this application.*

| | |
|----------------------------------|----------------------------------|
| | |
| Name of School District | Name of School District |
| Name of Board Chairperson | Name of Board Chairperson |
| Address of Above Person | Address of Above Person |
| Address (Continued) Phone # | Address (Continued) Phone # |

*(A decision not to accept IDEA-B funds does not absolve a district from its responsibility to meet the requirements of the Individuals with Disabilities Education Improvement Act of 2004.)

STATEMENT OF AUTHORIZATION**FY-2010**

This is to certify that the school board(s) of the participating school districts comprising the _____ Supervisory Union/District has/have duly authorized the Superintendent of Schools to accept and administer IDEA-B grants.

(Signature of Chairperson of Supervisory Union/District School Board)

(Date)

(Typed Name of Chairperson)