When is an LEA required to use IDEA-Part B funds for CEIS?

In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities; the placement in particular educational settings of these children; or the taking of disciplinary actions (e.g., suspensions and expulsions), the State must require the LEA to reserve the maximum amount of IDEA Part-B and IDEA Preschool funds (15%) to provide comprehensive coordinated early intervening services to serve children in the LEA, particularly, but not exclusively, children in those groups that were significantly over-identified. [20 U.S.C. §1413(f), 34 C.F.R. §300.226]

What are coordinated early intervening services?

Coordinated early intervening services (34 C.F.R. §300.226) are services for children in kindergarten through Grade 12 (with a particular emphasis on children in kindergarten through Grade 3) who have not been identified as needing special education and related services, but need additional academic and behavioral supports to succeed in a general education environment.

Activities that an LEA may implement include:

- Professional development to enable teachers and other school staff to deliver scientifically based academic and behavioral interventions
- Scientifically based literacy instruction
- Instruction on the use of adaptive and instructional software
- Provide educational and behavioral services and supports

What is the relationship between CEIS and Free Appropriate Public Education (FAPE)?

CEIS does not limit or create a right to FAPE under Part B of IDEA or allow an LEA to delay appropriate evaluation of a child suspected of having a disability. [34 C.F.R. §300.226(c)]

What type of data collection and reporting is required for CEIS?

Each LEA that develops and maintains CEIS under 34 CFR 300.226 must annually report to the State education agency on:

- The number of children who received CEIS;
- The number of students in this count served by personnel who participated in professional development activities supported with CEIS funds.
- The number of children who received CEIS and subsequently receive special education and related services under Part B of IDEA during the preceding two year period.

What are the meaning of the terms “subsequently” and “preceding two year period“ in 34 CFR 300.226. (d)(2)?

An LEA is required to report on children who began receiving special education services no more than two years after they received CEIS. For the preceding two year period, the LEA would report on the number of children who received both coordinated early intervening services and special education service during those two years.

Can CEIS funds be used for preschool children?

No, these services are for children in kindergarten through Grade 12, with a particular emphasis on children in kindergarten through Grade 3.