

Rules for the Administration of the Exceptional Children's Educational Act

2220-R-2.00 DEFINITIONS USED IN THESE RULES

2.44 Special Education Expenditures

Special Education Expenditures are those costs which are incurred by an administrative unit or state-operated program for professional services associated with special education referrals and assessments of children who may be disabled and for the provision of special education and related services as identified on individual students' Individualized Educational Programs (IEPs), and do not include costs of the regular education program.

2220-R-5.00 REQUIREMENTS FOR FUNDING ELIGIBILITY

5.04 Additional Funding and Reporting Requirements

- 5.04(1) In order to receive funding under Part B of the IDEA, administrative units and state-operated programs must timely provide the information required by Section 618 of the Act, 20 USC §1418.
- 5.04(2) In order to receive funding under the Exceptional Children's Educational Act, administrative units and state-operated programs must timely provide the information required by Section 22-20-114(4) and (6), C.R.S.

2220-R-7.00 COORDINATION BETWEEN SEA AND LEAS

7.01 Record Keeping

To meet the requirements of Sections 22-20-104(4), C.R.S., an administrative unit shall maintain a management and information system which provides for the collection, documentation, aggregation, and reporting of student, staff, revenue and expenditure data.

7.01(2) Staff data.

Administrative units should maintain the following data for all special education services staff:

7.01(2)(a) Name.

7.01(2)(b) Special education position assignment.

7.01(2)(c) FTE and salary attributable to special education, and source of funds supporting that salary.

7.01(2)(d) Documentation of time spent with students with disabilities for each staff member who is employed part-time in special education and part-time in regular education.

7.01(3) Revenue and expenditure data.

- 7.01(3)(a) Administrative units shall maintain auditable records of all special education expenditures and of the state, federal, local and other revenues which are received in support of those expenditures.
- 7.01(3)(b) Using the accrual basis of accounting, administrative units shall operate a budgeting and accounting procedure which records the objects of expenditure for each special education instructional and support service area.
- 7.01(3)(c) Community centered boards and eligible facilities shall maintain auditable records of all information used to establish tuition costs reported on forms developed by the Department of Education.

7.02 Reporting

Each administrative unit shall submit to the Department of Education annual student, staff, revenue and expenditure data according to the instructions and on forms or computer programs provided by the Department of Education. If accurate data are not submitted according to deadlines established by the Department, the disbursement of state and federal funds to that particular unit shall be delayed.

7.03 Special Education Funding

7.03(1) Federal funds.

- 7.03(1)(a) Administrative units shall obtain prior approval from the Department of Education for the use of federal funds in support of special education services.
- 7.03(1)(b) The approval criteria and procedures for the use of federal funds shall be governed by relevant rules and regulations promulgated pursuant to state and federal laws.
- 7.03(1)(c) Federally funded programs shall be considered supplementary to the basic program required by the Exceptional Children's Educational Act (ECEA).

7.03(2) ECEA funds.

Under the requirements of Section 22-20-104(4), C.R.S., an administrative unit shall use its state ECEA funds only on special education services and programs, as outlined in Section 2.44 of these Rules.

7.03(3) Payments of ECEA funds.

ECEA funds shall be distributed in accordance with Sections 22-20-114 and 22-20-114.5, C.R.S.

2220-R-9.00 OUT OF DISTRICT PLACEMENTS

9.01 Definitions

9.01(1) ***“Applicable Revenues”*** means:

9.01(1)(a) The Per Pupil Operating Revenue (PPOR) or the Per Pupil Revenue (PPR), whichever is applicable, as follows:

9.01(1)(a)(i) The state average PPOR when an administrative unit of residence initiates a placement of a child with a disability into an eligible facility for its day treatment or residential program, and the eligible facility also provides the child’s educational program;

9.01(1)(a)(ii) The PPOR of the district of residence when an administrative unit of residence places a child with a disability into an eligible facility for the educational program only;

9.01(1)(a)(iii) The PPR of the chartering school district when a child with a disability enrolls in and attends a charter school pursuant to Article 30.5 of Title 22, C.R.S., not including a charter school that provides an on-line program pursuant to Section 22-33-104.6, C.R.S.;

9.01(1)(a)(iv) The PPR of the accounting district, as defined under Section 22-30.5-513 (1)(a), C.R.S., when a child with a disability enrolls in and attends an institute charter school pursuant to Part 5 of Article 30.5 of Title 22, C.R.S.

9.01(1)(a)(v) The PPR of the district of attendance when a child with a disability enrolls in and attends a school in an administrative unit other than the child’s administrative unit of residence pursuant to Section 22-36-101, C.R.S., and the school does not provide the child an on-line program and the school is not a charter school;

9.01(1)(a)(vi) The PPOR of the district of residence when an administrative unit of residence purchases services from another administrative unit for a specific special education program not available in the administrative unit of residence; or

9.01(1)(a)(vii) The state minimum PPR when a child with a disability enrolls in and attends a public on-line program pursuant to section 22-33-104.6, C.R.S., including an on-line program provided by a charter school.

9.01(1)(b) For three- and four-year old children with disabilities, and for five-year old children with disabilities who are not enrolled in kindergarten, 50 percent PPOR shall be considered applicable revenue.

9.01(1)(c) Monies available from federal sources.

9.01(1)(d) Monies received under ECEA.

9.01(1)(e) Monies received from other state agencies.

9.01(1)(f) Monies received from other administrative units, not including tuition.

9.01(1)(g) Monies received through grants and donations.