

# Funding

## USE OF STATE SPECIAL EDUCATION FUNDS

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## Use of State Special Education Funds

### What is Required

#### **Special Education Grant**

Special education grants will be made available to the District from funds appropriated, federal funds, or any other funds available to assist districts in covering the cost of educating students with disabilities. The District may apply for a special education grant if it does not receive sufficient funds, including state funds and federal funds, whether for the student with disabilities to pay for the special education services provided to the student or for all students with disabilities in the District to pay for the special education services provided to the students.

If the District applies for a special education grant, it must provide a report comparing the state and federal funds received by the District for students with disabilities and the expenses incurred by the District in providing special education services to students with disabilities. The District may include the cost of training Campus Special Education Personnel to provide special education services to students with disabilities when applying for a special education grant.

If the District receives a special education grant, it must educate all students with disabilities in the least restrictive environment that is appropriate to meet the student's educational needs. See [LEAST RESTRICTIVE ENVIRONMENT].

#### **Accountability for Funds**

To receive special education funds, the District must operate an approved comprehensive special education program in accordance with state and federal laws and regulations. At least 55 percent of the state special education funds must be used in the special education program. The District may not use special education funds for other purposes, except for administrative costs relating to maximum indirect cost allowable on certain Foundation School Program ("FSP") allotments.

Funds generated by full-time equivalents ("FTEs") in one instructional arrangement may be spent on the overall special education program and are not limited to the instructional arrangement which generated the funds.

The District is required to maintain separate accountability for the total state special education program fund within the general fund. In prescribing the qualifications that a mainstream instructional arrangement must meet, the Commissioner of Education ("Commissioner") will prescribe the qualifications an instructional arrangement must meet

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to be funded as a particular instructional arrangement. The Commissioner will establish requirements that students with disabilities and their teachers receive the direct, indirect, and support services that are necessary to enrich the regular classroom and enable the success of the student.

The District may carry over a special education fund balance to the next fiscal year if the balance is expended on the special education program in the subsequent year. Any state special education carry-over funds cannot be used for administrative costs.

### **Use of Funds for Personnel**

The District must assign District and Campus Special Education Personnel paid from special education funds to instructional or other duties in the special education program and/or to provide support services to the regular education program in order for students with disabilities to be included in the regular program. Support services must include, but are not limited to, the following: collaborative planning, co-teaching, small group instruction with students in special education and regular education, direct instruction to students in special education, or other support services determined necessary by the ARD Committee for an appropriate program for the student with disabilities.

Assignments may include duties supportive to school operations equivalent to those assigned to regular education Campus Personnel. Campus Personnel assigned to provide support services to the regular education program may be fully funded from special education funds. If Campus Personnel are assigned to special education on less than a full-time basis, only that portion of time for which the Campus Personnel are assigned to students with disabilities may be paid from state special education funds.

### **Use of Funds for Materials, Supplies, and Equipment**

The District may use state special education funds for special materials, supplies, and equipment which are directly related to the development and implementation of students' IEPs and which are not ordinarily purchased for the regular classroom. However, state special education funds may not be used for office and routine classroom supplies.

The District must abide by all state and federal requirements relating to the administration of equipment when using special equipment. See [ADMINISTRATION OF EQUIPMENT].

### **Use of Funds for Contract Services**

The District may use state special education funds to contract with consultants to provide staff development, program planning and evaluation, instructional services, assessments, and related services to students with disabilities. The District may use any amount—not

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to exceed 20 percent of the allotment for dyslexia services provided for a qualifying student—to contract with a private provider to provide supplemental academic services to the student that are recommended under the student’s IEP or Section 504 plan. However, a student may not be excused from school to receive these supplemental academic services provided by contract with a private provider.

### **Use of Funds for Travel**

The District may use state special education funds to pay for staff travel to perform services directly related to educating eligible students with disabilities. These funds may also be used to pay for travel of staff, including administrators, general education teachers, and special education teachers and service providers to improve performance in assigned positions directly related to educating eligible students with disabilities. However, these funds may not be used to pay for staff development meetings where the time is spent on performing functions relating to the operation of professional organizations.

Additionally, the District may use state special education funds to pay for joint training of parents and Campus Special Education Personnel. Should the District wish to use state special education funds for transportation to and from a residential facility, the District must comply with all state and federal requirements relating to the use of funds for contract services, including residential placements. See [USE OF FUNDS FOR CONTRACT SERVICES INCLUDING RESIDENTIAL PLACEMENTS].

### **Additional Procedures**

#### **Use of Funds**

The District must comply with all state rules and regulations related to the use of state special education funds. The District is responsible for remaining current with legislation related to the use of state special education funds.

[ADD ADDITIONAL DISTRICT PROCEDURES AS APPROPRIATE]

### **Evidence of Implementation**

- Grant Applications
- Use of Funds for Special Education Services
- Report Relating to Use of Funds
- Education of All Students in Least Restrictive Environment
- Operation of Approved Comprehensive Special Education Program

Use of State Special Education Funds \_\_\_\_\_

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- Appropriate Use of Funds for Materials, Supplies, and Equipment
- Appropriate Use of Funds for Contract Services
- Appropriate Use of Funds for Travel
- [DISTRICT FORMS]

## **Resources**

[The Legal Framework for the Child-Centered Special Education Process: Use of State Special Education Funds - Region 18](#)

[Financial Accountability System Resource Guide - Texas Education Agency](#)

[Grant Compliance and Administration - Texas Education Agency](#)

[Special Education Funding - Texas Education Funding](#)

[Appendix A. Allowable and Unallowable Expenditures from Program Guidelines - Texas Education Agency](#)

[ADDITIONAL DISTRICT RESOURCES]

## **CITATIONS**

Board Policy DMA, EEL, EHB, EHBA, and EHBAC; 34 CFR 300.114(b); Texas Education Code 29.018(a)–(e), 48.102-48.103; 19 Texas Administrative Code 89.1121(d), 89.1125, 89.63, 105.11