

Nebraska Department of Education

301 Centennial Mall South • P.O. Box 94987 • Lincoln, Nebraska • 68509 • 402-471-2295

AMERICAN RECOVERY AND REINVESTMENT ACT IDEA Part B

Frequently Asked Questions

1. Q: Can ARRA IDEA funds be used to reimburse the employment costs for an Assistive Technology Assistant?

A: Yes. An AT Assistant could be defined as a non-degreed staff member who consults with school district staff regarding software and computer uses. This position is fundable to the extent they work with special education teachers related to technology issues.

Date Added/Updated: 06/22/09

2. Q: Are Assistive Technology Toolkits a reimbursable expenditure?

A: Yes. AT Toolkits are reimbursable if purchased for students with IEPs or if purchased for all teachers through a professional development activity. AT Toolkits are not reimbursable if directly purchased for students without IEPs.

Date Added/Updated: 06/22/09

3. Q: Can ARRA IDEA funds be used to provide Coordinated Early Intervening Services (CEIS) to Children in Preschool, ages 3-5?

A: No. CEIS is defined as services for students without an IEP in Kindergarten through Grade 12, with an emphasis on Kindergarten through Grade 3.

Date Added/Updated: 06/22/09

4. Q: Can ARRA IDEA funds be used to “completely refurbish” a computer lab?

A: No. However, purchasing technology for a computer lab to accommodate a student's IEP is reimbursable.

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5. Q: Can ARRA IDEA funds be used to purchase computers for Special Education Administrators and their assigned Clerical Support Staff?

A: Yes.

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6. Q: Can ARRA IDEA funds be used to purchase computers for students with IEPs housed in co-taught classrooms?

A: Yes. Computers and technology are reimbursable in order to accommodate a student's IEP.

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7. Q: Can ARRA IDEA funds be used to purchase reading and math intervention software programs to be used for students without IEPs in the general education setting?

A: No. Software expenses are reimbursable in order to accommodate a student with an IEP.

Date Added/Updated: 06/22/09

8. **Q: Can ARRA IDEA funds be used to support special education parent/guardian training?**
- A: Yes.
- Date Added/Updated:* 06/22/09
9. **Q: Can ARRA IDEA funds be used to pay substitutes to release special education and general education teachers to attend professional development?**
- A: Yes. Professional development must be designed to support students with IEPs in the general education setting.
- Date Added/Updated:* 06/22/09
10. **Q: Can ARRA IDEA funds be used to pay for the employment costs of a “Data Person”?**
- A: Yes. This position is reimbursable to the extent they work with IDEA data mandates.
- Date Added/Updated:* 06/22/09
11. **Q: If we use ARRA IDEA funds to pay for professional development in technology or differentiated instruction, can it be for all staff, or just for special education teachers?**
- A: ARRA IDEA funds can be used to pay for professional development that is not limited to special education teachers only. However, skills obtained in the professional development must have applicability for children with IEPs.
- Date Added/Updated:* 06/22/09
12. **Q: Is there any hope of getting a waiver for the IDEA per pupil set aside (proportionate share responsibility) for nonpublic schools? Their students rarely have severe disabilities and usually need less costly service.**
- A: No. All provisions of IDEA including the requirement to spend a proportionate share for provision of services for parentally placed children in nonpublic settings, apply to the ARRA IDEA funds.
- Date Added/Updated:* 06/22/09
13. **Q: What is “supplanting” under IDEA?**
- A: Supplanting is the use of federal funds to replace state and local funds to provide special education programs and services. The April 2009 Guidance document from USED clarified that if a school district maintains (or exceeds) its level of state and local special education and related services expenditures from the preceding year, then the district has met its MOE and supplement/not supplant requirements. Therefore, the test for supplement/not supplant for IDEA is very different than for Title I.
- Date Added/Updated:* 06/22/09
14. **Q: What is the penalty for a school district not meeting the MOE requirement?**
- A: If a district does not meet the IDEA MOE requirement, the district must return to the NDE state and/or local funds equal to the amount the district did not meet the MOE requirement.
- Date Added/Updated:* 06/22/09
15. **Q: Can a school district use ARRA IDEA funds to provide for special education administration?**
- A: A district may use ARRA IDEA funds to provide for special education administration if the individual meets the Nebraska Teacher Certification requirements as a Special Education Administrator.
- Date Added/Updated:* 06/22/09

16. Q: Can a school district purchase technology equipment/tools like amplification systems and whiteboards and place them in regular education classrooms as long as special education students are in the regular classrooms?

A: ARRA IDEA funds can be used to purchase amplification systems and whiteboards to allow a special education student access to the general education environment, but there needs to be a specific student need for the assistive technology device that is documented within the student's IEP.

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17. Q: Can the ARRA IDEA funds be used to fund professional development for special education teachers?

A: Yes.

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18. Q: Are we required to use the ARRA IDEA funds to reinstate special education staff we have already reduced before using these funds in other areas?

A: No, but it is important to remember the principles for use of these funds. If you are reducing special education staff based on a decline in special education student enrollment, there may not be a need to retain staff members to perform their current duties.

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19. Q: Can ARRA IDEA funds be used to purchase vehicles to transport students with special needs?

A: Yes. Since the cost of the vehicle would most likely exceed \$5000, the district would need to get prior approval from NDE before purchasing it. ARRA IDEA funds can be used to purchase a vehicle to transport a special education student with specialized transportation needs that are included on the IEP. Prior approval of such purchases can be accomplished through the ARRA IDEA application process.

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20. Q: If a district is laying off special education staff because of declining special education enrollment, can the ARRA IDEA funds assist in retaining or creating jobs?

A: Yes, but as previously indicated, a district with declining special education enrollment may need to make special education staffing reductions based on these declines.

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21. Q: Can ARRA IDEA funds be used to fund non-special education activities?

A: No. ARRA IDEA funds can only be used for special education activities, with few exceptions (i.e., 15% for CEIS, certain professional development, etc.).

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22. Q: NDE Guidance has indicated that the funds must be "obligated" by September 30, 2011. Does obligated mean "expended" or "encumbered"?

A: Obligations mean orders placed, contracts awarded, services received, and similar transactions during a given period that require payment by the recipient during the same period.

Date Added/Updated: 06/22/09

23. Q: Must a district receipt all ARRA IDEA funds?

A: Yes. ARRA IDEA funds are special education funds that must be coded accordingly on the Annual Finance Report (AFR).

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24. Q: Our school district is considering renovating a restroom(s) to accommodate a student in a wheelchair. Can ARRA IDEA funds be used for this purpose, and if so, are there additional requirements associated with these building modifications such as compliance with the Americans with Disabilities Act (ADA)?

A: Yes. ARRA IDEA funding may be used for this purpose but any alteration of facilities/construction (i.e., minor building modifications for ADA purposes) requires prior approval by NDE. Prior approval by NDE for both equipment purchases and minor building modifications can be accomplished through the ARRA IDEA application process. Districts approved for construction must follow additional requirements specified in the ARRA IDEA legislation. It is recommended that you contact the NDE Special Education Office at 402-471-2471 to discuss your plans in greater detail.

Additionally, consultation with NE ATP is also required to assure compliance with the ADA. For ADA questions or to schedule a consultation contact Lilly Blasé at 402-471-6051, lilly.blase@nebraska.gov

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