



NEBRASKA
DEPARTMENT OF EDUCATION

SPED
SPECIAL EDUCATION

Office of Special Education Coordinated Early Intervening Services (CEIS)



Coordinated Early Intervening Services (CEIS) Requirements

Any district found to have significant disproportionality in the areas of identification, placement or discipline must set aside 15 percent of its total IDEA Part B (611 and 619) flow through funds to provide Comprehensive CEIS designed to address factors contributing to that significant disproportionality. In addition, districts that do not have significant disproportionality may choose to set aside up to 15 percent of funds for voluntary CEIS, which has similar requirements.

When using IDEA Part B funds for voluntary or Comprehensive CEIS, districts must adhere to certain requirements set forth in the federal regulations within 34 CFR §§[300.226](#), [300.646](#), and [300.647](#). Guidance is provided below on the use of CEIS funds as defined in federal regulations and state regulations ([Nebraska Rule 51, section 12](#)).

IDEA funds are to be used for the delivery of Special Education services to verified students with disabilities, ages birth through 21 as outlined in 92 NAC 51, Section 011 – Section 014. The IDEA was amended to allow, and sometimes require, districts to use up to 15% of school district IDEA Part B funds to provide services to students who are at risk of becoming verified as having a disability. This concept is referred to as Coordinated Early Intervening Services (CEIS) under Part B of IDEA and is described at [34 CFR §300.226](#). When it is required because of a significant disproportionality, it is referred to as Comprehensive CEIS or CCEIS and is described at [34 CFR §300.646](#).

Photos are for illustrative purposes only. Any person depicted in the photo is a model.



What Is Voluntary CEIS?

Voluntary Coordinated Early Intervening Services are provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment. IDEA ([U.S.C. §1413\(f\)\(2\)](#)) and its regulations ([34 CFR §300.226\(b\)](#)) identify the activities that a school district may carry out in implementing voluntary CEIS.

- Professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel who are directly responsible for the project to deliver scientifically-based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and

- Providing educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction. For example, a school district might use CEIS to provide behavioral interventions to nondisabled students who receive a certain number of disciplinary office referrals, perhaps as part of a Positive Behavioral Interventions and Supports (PBIS) initiative. CEIS might also be used to help fund reading or math specialists to work with students without a disability who have not reached grade-level proficiency in those subjects.



...who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment.

How May Voluntary CEIS Funds Be Used?

A school district may use up to fifteen (15) percent of the amount the district receives under Part B for any fiscal year, **less any amount reduced by the district under adjustments to local fiscal year effort ([34 CFR §300.205](#)), if any**, in combination with other amounts (which may include amounts other than education funds), to develop and implement voluntary CEIS. Voluntary CEIS may include interagency financing structures for students in kindergarten through grade 12, who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.

Districts that seek to reduce their local maintenance of effort (MOE) in accordance with [34 CFR](#)

[§300.205\(d\)](#) and also use some of their Part B funds for CEIS under [34 CFR §300.226](#) must do so with caution because the local MOE reduction provision and the authority to use Part B funds for CEIS are interconnected. The total of the reduction and the CEIS spending may not exceed the lesser of the maximum amount available for the reduction or the CEIS spending. In this way, the implementation of a CEIS project may reduce a district's ability to meet MOE.

Funds made available may be used to carry out CEIS aligned with activities funded by and carried out under the Elementary and Secondary Education Act (ESEA) if those funds are used to supplement, and not supplant, funds under the ESEA for the activities and services assisted under this section.

How May Voluntary CEIS Funds Be Used for Professional Development?

Voluntary CEIS funds may be used to provide professional development for staff who are responsible for implementing the CEIS Project. Under limited circumstances personnel who are solely responsible for students receiving special education services or students who do not need additional support may participate in professional development funded with CEIS funds. These personnel may participate so long as the cost of the professional development does not increase, the quality of the professional development **does not decrease, and including those personnel would not exclude other personnel who are responsible for students who need additional support but have not been identified as needing special education.**



How May Voluntary CEIS Funds Be Used for Evaluations?

School districts may use voluntary CEIS funds to provide behavioral and educational evaluations to determine the supports that are needed by students to succeed in a general education environment.

However, funds may not be used for evaluations that are intended for use in determining eligibility for special education and related services.




How May Voluntary CEIS Funds Be Used to Support MTSS?

Voluntary CEIS funds may be used to support Multi-Tiered Systems of Support (MTSS) as long as the CEIS funds are used for services to students without a disability in need of additional academic or behavioral support and supplement, not supplant, other funds used to implement MTSS.

For example, one MTSS framework includes a three-level continuum of instructional support. In this framework, tier one applies to all students in a general education setting. It would not be appropriate to use voluntary CEIS funds for tier one activities that support these students because these activities are designed to provide high-quality instruction to the entire class or school and not principally intended to address the needs of students who are struggling.



 CEIS funds were used to provide services only to students who need additional support and that other funds were used to fund the school-wide intervention.

Tier two activities provide specialized small group instruction for students determined to be at risk for academic and behavioral problems. It would be appropriate to use voluntary CEIS funds to support these tier two activities for at-risk, general education students. If students who are receiving special education and related services participate in the small group instruction, it would not be appropriate for CEIS funds to be used for these students as voluntary CEIS may not be provided to students that are currently identified as needing special education or related services.

Tier three includes specialized individualized instructional or behavioral support for students with intensive needs. As in the case of tier two activities, CEIS funds could be used for activities that support general education students at risk for academic and behavioral problems, but could not be used for students who are receiving special education and related services. If a school district chooses to use voluntary CEIS funds to support school-wide interventions, it must be able to document that CEIS funds were used to provide services only to students who need additional support and that other funds were used to fund the school-wide intervention for students who did not need additional support. Children who are not yet in kindergarten may not receive voluntary CEIS. The preamble to the IDEA Part B regulations clarifies that students who received special education in the past, but are not currently receiving special education, are eligible to receive CEIS. For additional information on costs which are allowable under voluntary CEIS refer to the Attachment.

What Are the Reporting Requirements for CEIS?

Federal regulations require each school district that implements CEIS to report to the Nebraska Department of Education (NDE) annually (a) the Part B funds reserved (b) the number of children who

receive CEIS, and (c) the number of children provided CEIS over the most recent three-year period who subsequently received special education services under Part B.

How Should a School District Count and Track Students Who Received Voluntary CEIS when Funds Are Used for Professional Development or a School-Wide Intervention Initiative?

A school district must count, and subsequently track for two years, the number of students in need of additional support who received instruction from personnel who participated in the professional development program. It would not be appropriate to count every student who was taught by these personnel if some of the students were not in need of additional support or were receiving special education services. The district should only count the students and the personnel who participated in the professional development program in the year(s) of or the year(s) immediately after the training, rather

than counting the students and those personnel each year after the training. A similar method might be used to count students who benefit from a school-wide intervention initiative supported with CEIS funds. Students who meet the district's criteria of being in need of additional support and participate in the initiative should be counted as receiving CEIS in the year(s) of or the year(s) immediately following the initiative and tracked for the following two years. Students who participate in an initiative for more than one year should be counted each year they participate.



How Should a District Count and Track Students Who Received CEIS when Funds Are Used to Provide Behavioral and Educational Evaluations?

Districts may use CEIS funds to provide behavioral and educational evaluations to determine the supports that are needed by students to succeed in a general education environment. However, funds may not be used for evaluations that are intended for use in determining eligibility for special education

and related services. Students who are evaluated to determine the supports necessary for success in a general education environment should be counted as receiving CEIS in the year of or the year immediately following the evaluation and tracked for the following two years.

When Is the Provision of Comprehensive CEIS Required?

If NDE identifies significant disproportionality based on race or ethnicity in a school district with respect to the identification of children as children with disabilities, the identification of children in specific disability categories, the placement of children with

disabilities in particular educational settings, or the administering of disciplinary actions, the school district must use exactly 15 percent of its IDEA 611 and 619 funds for comprehensive CEIS.

How Does Comprehensive CEIS Differ From Voluntary CEIS?

Comprehensive CEIS is the same as voluntary CEIS in many respects. It differs in these ways:

- **Comprehensive CEIS must address factors found by the district to be contributing to the significant disproportionality identified by the State.**
- Comprehensive CEIS can be afforded to children age 3 through grade 12, while Voluntary CEIS is limited to children in Kindergarten through grade 12.
- Comprehensive CEIS can be used for children currently identified as needing special education or related services, but not exclusively for such children. Voluntary CEIS cannot be provided to children currently identified as needing special education or related services.
- Comprehensive CEIS **must use exactly** 15 percent of IDEA Part B funds (611 and 619). Voluntary CEIS **may use up to** 15 percent of IDEA Part B funds (611 and 619).
- Any district with significant disproportionality must address a policy, practice, or procedure it identifies as contributing to the significant disproportionality, and publicly report on any resulting revisions to those policies, practices, and procedures.

Allowable Costs for IDEA Voluntary Coordinated Early Intervening Services (CEIS)

Symbol Key: ✓ Allowed, (as described in GMS IDEA Application); ✗ Not allowed

Allowed	Not Allowed	Budget Item/Activity
	✗	Computer Network Costs: Computer networking costs are not direct budget line items.
	✗	Computers: Also see "electronic devices".
	✗	Construction: Construction does not meet the criteria for the utilization of IDEA flow-through funds for CEIS.
	✗	Electronic Devices: This includes iPods, iPad, laptops, netbooks, smartboards, DVD players, camcorders, cell phones, etc.
	✗	Equipment:
	✗	Furniture: Desks, tables, chairs, file cabinets, and other office furniture.
	✗	Evaluations For Special Education Eligibility Determinations: CEIS funds must be used to carry out coordinated early intervening services (CEIS). Evaluations, including outside evaluations, for determining eligibility for special education services are not considered CEIS.
✓		General Education Teacher Salaries: General education teachers may provide academic interventions, behavioral interventions, assessments and professional development as part of the CEIS Project.
✓		Guidance Counselor Salaries – School Based: Examples of activities that may be funded with CEIS include a school guidance counselor's efforts to implement progress monitoring, other CEIS evaluations, behavioral interventions, and related professional development. School guidance counselors may not deliver reading or math instruction under CEIS funding unless they also hold the appropriate license to deliver reading or math instruction.

Symbol Key: ✓ Allowed, (as described in GMS IDEA Application); ✗ Not allowed

Allowed	Not Allowed	Budget Item/Activity
	✗	Incidental Benefit: Wherein a non-disabled student may happen to benefit from an activity conducted by a special education teacher, CEIS funds are specifically to be used to provide increased supports for selected general education students. These targeted supports may not be carried out by special education personnel or provided to special education students.
✓		Indirect Costs: The indirect percentage identified for the district's IDEA flow-through budget is the same percentage charged to the district's CEIS budget, as they are the same funding sources.
✓		Instructional Materials: Instructional materials purchased with CEIS funds must be exclusively used for delivering coordinated early intervening services including educational and behavioral evaluations, services and supports including scientifically based literacy instruction. CEIS funds may not be used to purchase materials used in the core instructional program intended for all students.
✓		Mentors: A district may hire or contract with individuals or organizations for mentoring services to carry out allowable CEIS activities. A mentor, unless appropriately licensed, may not provide instruction to students. Mentors may support, reinforce, or follow-up on instruction provided by and under the supervision of an appropriately licensed general education teacher. See also "Supervision" in the Information section.
✓		Paraprofessional Salaries: The paraprofessional must serve as a general education paraprofessional and may: <ul style="list-style-type: none"> • Participate in professional development to enable the paraprofessional to support the delivery of scientifically based academic and behavioral interventions, and, if appropriate, the use of adaptive and instructional software. • Support, reinforce or follow-up on the provision of educational and behavioral services provided by and under the supervision of an appropriately licensed general education teacher. See also "Supervision" in the Information section.
	✗	Physical Or Occupational Therapist Salaries: OT and PT are related services provided to students with disabilities in accordance with an IEP or service plan. CEIS may only be used to serve students who are not identified as students with disabilities.

Symbol Key: ✓ Allowed, (as described in GMS IDEA Application); ✗ Not allowed

Allowed	Not Allowed	Budget Item/Activity
✓		Professional Development Services: A district may purchase professional development services provided it is “for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and providing educational and behavioral evaluations, services, and supports, including scientifically based instruction” for the CEIS Project.
✓		Psychologist Salaries – School Based: Examples of activities that may be funded with CEIS include a school psychologist’s efforts to implement progress monitoring, other CEIS evaluations, behavioral interventions, and related professional development. School psychologists may not deliver reading or math instruction under CEIS funding unless they also hold the appropriate license to deliver reading or math instruction.
	✗	Rent Or Occupancy Costs: Rent or occupancy costs do not meet the criteria for the utilization of IDEA flow-through funds for CEIS.
	✗	Smart Boards: Also see “Electronic Devices”.
✓		Software: Software purchased with CEIS funds must be exclusively used in the delivery of coordinated early intervening services including educational and behavioral evaluations, services and supports including scientifically based literacy for students. CEIS funds may not be used to purchase software used in the core instructional program intended for all students.
	✗	Special Education Teacher Salaries: No special education teacher salaries may be funded with CEIS dollars. Teachers who hold both special education and general education licenses may provide CEIS if their job assignment is prorated (see General Education Teacher Salaries)
	✗	Speech Therapy: Speech therapy is a related service provided to students with disabilities in accordance with an IEP or service plan. CEIS may only be used to serve students who are not identified as students with disabilities.
✓		Substitute Teacher Salaries: Districts may budget for general education substitute teachers to implement allowable CEIS activities (see General Education Teacher Salaries; Special Education Teacher Salaries)

Symbol Key: ✓ Allowed, (as described in GMS IDEA Application); ✗ Not allowed

Allowed	Not Allowed	Budget Item/Activity
✓		Summer And After School Programs: Districts may use CEIS funds to provide afterschool and summer services that meet the requirements of CEIS. However, opportunities must first be provided during the regular school day and year for students identified for CEIS, but unable to attend outside of school hours.
	✗	Transportation – Student: Student transportation does not meet the criteria for the utilization of IDEA flow-through funds for CEIS.
✓		Travel (Staff): Travel costs must be generated as a result of CEIS activities, such as professional development directly tied to the CEIS subgroup.
	✗	Universal Screening – Ceis: CEIS funds may be used to provide services only to students in need of additional academic or behavioral support who have not been identified as eligible for special education. CEIS funds may not be used for activities intended to provide high quality instruction to an entire class or school. Universal screening is part of the core instructional program provided to all students and not principally intended to address the needs of students who are not currently identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.
	✗	Screening – Special Education Child Find: A district may not use CEIS funds for activities aimed at identifying, locating, or evaluating students with disabilities including screening for preschool, hearing, or vision disabilities.
	✗	Utilities: Utility costs must be included as part of the district’s indirect costs and are not direct budget line items.

Supervision Requirements:

Supervision means regular, continuing interaction between the appropriately licensed staff member (supervisor) and the individual carrying out CEIS activities. There must be sufficient contact between the supervisor and the individual carrying out CEIS activities, and between the supervisor and the student to monitor the services provided. Paraeducators shall not teach and must be under the direct supervision of a certified teacher.

Allowable Costs for IDEA Comprehensive Coordinated Early Intervening Services (CCEIS)

In the case of Comprehensive CEIS, all costs must address factors found by the district to be contributing to the significant disproportionality identified by the State. If costs do address those factors, there is flexibility in the permitted activities.

Coordinating Early Intervening Services (CEIS) Student Report

School District

Project Title

Date

IDEA regulations [[34 CFR 300.226\(d\)](#)] require each school district that implements CEIS to report to the State on the number of children who received CEIS and the number of those children who subsequently received special education and related services under Part B during the preceding two-year period.

Report the number of students receiving CEIS and those who subsequently received Special Education services below. Include the process, by academic year, used by the district to arrive at all numbers reported.

Academic Year	Number of students in this CEIS Project	Number of students in CEIS Project who subsequently received SPED services during the 2019-2020 school year (unduplicated count)
2017-2018		
2018-2019		
2019-2020		
Total Students:		

Report process used, by academic year, to arrive at reported numbers (attach additional pages if necessary):

Resources

The Center for IDEA Fiscal Reporting (CIFR) has a resource page devoted to CEIS. <https://cifr.wested.org/resources/ceis/>

The IDEA Data Center's (IDC) Knowledge Lab has a section devoted to Disproportionality and Equity. <https://ideadata.org/resources/knowledge-lab>

CIFR's Coordinated Early Intervening Services Step-by-Step provides a graphic introduction to the topic and links to dozens of relevant resources. [https://cifr.wested.org/resources/ceis/ceis-step-by-step/OSEP created a set of questions and answers about the 2016 significant disproportionality regulation](https://cifr.wested.org/resources/ceis/ceis-step-by-step/OSEP%20created%20a%20set%20of%20questions%20and%20answers%20about%20the%202016%20significant%20disproportionality%20regulation). <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/significant-disproportionality-qa-03-08-17.pdf>

CIFR's Quick Reference Guide is a three-page introduction to CEIS. <https://cifr.wested.org/wp-content/uploads/2015/12/CIFR-CEIS-QRG.pdf>

IDC provides a small table describing the similarities and differences of voluntary CEIS and CCEIS. https://ideadata.org/sites/default/files/media/documents/2017-09/idc_ceis_chart.pdf

IDC provides a decision tree and worksheet to help districts consider the possibility of MOE reduction and the interactions with CEIS. <https://ideadata.org/resources/resource/1495/maintenance-of-effort-moe-reduction-eligibility-decision-tree>

IDC and CIFR have created a series of spreadsheets designed to help districts coordinate their collection of CEIS tracking data. <https://ideadata.org/resources/resource/1689/using-the-coordinated-early-intervening-services-ceis-fiscal-and-student>

IDC and CIFR provide a practice guide containing examples of appropriate tracking of CEIS data. <https://ideadata.org/resources/resource/1790/ceis-practice-guide>

The 2016 significant disproportionality regulation, with federal commentary, is available online at <https://www.govinfo.gov/content/pkg/FR-2016-12-19/pdf/2016-30190.pdf>

OSEP Memo 08-09 is dated, but still provides good information about voluntary CEIS. https://www2.ed.gov/policy/speced/guid/idea/ceis_pg2.html