



State of Rhode Island and Providence Plantations
DEPARTMENT OF EDUCATION
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Providence, Rhode Island 02903-3400

Peter McWalters
Commissioner

TO: LEA Superintendents/Directors, Special Education Directors

FROM: Kenneth Swanson,
Director - Office for Diverse Learners

DATE: May 13, 2009

RE: Reporting Students Receiving Early Intervening Services

I'm writing to inform you about new reporting requirements from the U.S. Department of Education regarding the collection of data on students receiving Coordinated Early Intervening Services under IDEA Part B.

Any general education students, grades K-12, who received academic and/or behavioral interventions provided through Coordinated Early Intervening Services funds from IDEA, must be counted and reported to the Department of Education. In addition, any general education students, grades K-12, who benefitted from teachers or other support staff who received CEIS funded professional development related to the delivery and evaluation of academic or behavioral interventions must also be counted and reported.

In recent months, members of the Office for Diverse Learners have conducted workshops with your program staff to communicate and describe these new reporting requirements. To ensure the timeliness and successful submission of data, please ask your program coordinator to collaborate with your district data manager to review those materials which describes how to identify the individuals who received services during the school year 2008-09 and submit the listing through eRIDE (<http://www.eride.ri.gov>).

Reporting instructions as part of student Enrollment Census can be viewed and downloaded online at <https://www.eride.ri.gov/doc/enrollCensus08.asp>, Please follow the record layout for Program Status, use program codes 1410-1414.

This reporting is due by the end of school year. I strongly recommend that you begin submitting the data now even if they are incomplete.

Please feel free to contact Emily Klein at Emily.Klein@ride.ri.gov or at 222-8985, if you have any questions regarding this request.

Telephone (401)222-4600 Fax (401)222-6178 TTY 800-745-5555 Voice 800-745-6575

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sexual orientation, race, religion, national origin, or disability.

Attachment - Federal Reporting Guidelines

An LEA may not use more than 15 percent of the amount the LEA receives under Part B of the Act for any fiscal year, less any amount reduced by the LEA pursuant to 34 CFR 300.205, if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for 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 support to succeed in a general education environment. **(So any LEA can choose to use up to 15% of IDEA funds for EIS)**

[34 CFR 300.226(a)] [20 U.S.C. 1413(f)(1)]

In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular educational settings of these children, in accordance with 34 CFR 300.646(a), [Note that 34 CFR §300.646(a) addresses identification, placement and disciplinary actions.] the State or the Secretary of the Interior must...require any LEA identified under 34 CFR 300.646(a) to reserve the maximum amount of funds under section 613(f) of the Act [34 CFR 300.226] to provide comprehensive coordinated early intervening services to serve children in the LEA, particularly, but not exclusively, children in those groups that were significantly overidentified under 34 CFR 300.646(a) of this section. **(Some LEAs are required to use the full 15% for EIS)**

[34 CFR 300.646(b)(2)] [20 U.S.C. 1418(d)(2)(B)]

Each LEA that develops and maintains coordinated, early intervening services under 34 CFR 300.226 **must annually report to the State educational agency (SEA) on:**

- **The number of children served under 34 CFR 300.226 who received early intervening services; (the new program collection June 09)**
- The number of children served under 34 CFR 300.226 who received early intervening services and subsequently receive special education and related services under Part B of the Act during the preceding two year period. **(RIDE can run this report on SASID match using program report and other data collections)**

[34 CFR 300.226(d)] [20 U.S.C. 1413(f)(4)]

Any general education students grades K-12 who received academic (reading, writing, speaking, math, etc.) or behavioral interventions or supports funded by Early Intervening Services funds from IDEA must be counted and reported to the RIDE. In addition, any general education students grades K-12 who benefitted from teachers or other support staff who received EIS funded professional development related to the delivery and evaluation of academic (reading, writing, speaking, math, etc.) or behavioral interventions or supports must also be counted and reported to the RIDE. This collection is for the 2008-2009 school year.

How should an LEA count and track students who received CEIS when funds are used for professional development?

It would be appropriate for an LEA to 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. An LEA 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

How should an LEA count and track students who received CEIS when funds are used to provide behavioral and educational evaluations?

LEAs 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.

Counting students who benefitted from PD provided to staff with EIS \$

Quote from Emily Klein 6/1/2009

"I understand the OSEP requirement for counting students who benefitted from PD provided to staff with EIS \$ is extremely cumbersome for some districts. If this is true for your district, I would suggest in that case that you focus on reporting students who received specific academic (reading, writing, etc.) or behavioral interventions in this submission. As an alternative for this year's reporting on students who benefitted from EIS dollars devoted to staff PD, clearly label and upload into the IDEA Part B related documents section a total count of students who benefitted from EIS \$ by virtue of PD, how many of those students were referred to special education, and then how many were found eligible. In summary, direct service interventions would be reported in this June enrollment submission and one would have the option of reporting students who benefitted from EIS dollars devoted to staff PD in the CRP as an upload. This is not an either/or option as we do need to collect the direct service academic and behavioral interventions information in this submission."