**Sec. 1. COMPLIANCE**

Raul Yzaguirre Schools for Success ("RYSS") shall use Individuals with Disabilities Education Act ("IDEA") Part B funds received to:

1. comply with the federal maintenance of effort ("MOE") requirements;
2. supplement State, local and other Federal funds and not supplant such funds; and
3. pay the excess costs of providing special education and related services to children with disabilities and must be used to supplement State, local, and other Federal funds.

*34 CFR 300.202, 20 U.S.C. 1413(a)(2).*

**Sec. 2. REDUCING LEVEL OF EXPENDITURES**

Funds provided to RYSS will not be used to reduce the level of expenditures for the education of students with disabilities made by RYSS below the level of those funds for the preceding year. *20 U.S.C. 1423(a)(2)(A)(iii), Appendix E to Part 300.*

RYSS may reduce the level of expenditures if the reduction is attributable to:

1. Voluntary departure, retirement, or departure for just cause of special education personnel;
2. A decrease in enrollment of students with disabilities;
3. The termination of the obligation of RYSS to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left RYSS, aged out of services, or no longer needs special education;
4. The termination of costly expenditures for long-term purchases; or
5. The assumption of cost by the high cost fund operated by the Texas Education Agency.

*34 CFR 300.204.*

**Sec. 3. EXCESS EXPENDITURES**

Having complied with MOE and excess costs requirements, IDEA Part B funds provided to the school will be used for the following activities:

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a disability in accordance with the individualized education program ("IEP") of the child, even if nondisabled children benefit from such services;
2. To develop and implement coordinated, early intervening educational services in compliance with the child find and administration requirements, including:
   a. Early intervening services, which may include interagency financing structures, for children in kindergarten through grade 12 (with a particular emphasis on children in



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kindergarten through grade 3) 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;

b. RYSS may not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by RYSS to local fiscal effort, if any, in combination with other amounts, which may include amounts other than education funds, to develop and implement coordinated, early intervening services; and

3. To establish and implement cost or risk-sharing funds, consortia, or cooperatives for RYSS, or for RYSS's working in a consortium of which RYSS is a part, to pay for high-cost special education and related services.
4. RYSS may use IDEA Part B funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP that is needed for the implementation of such case management activities.

*34 CFR 300.208.*

**Sec. 4. EARLY INTERVENING SERVICES**

Funds made available for early intervening services, must supplement not supplant funds available under the Elementary and Secondary Education Act ("ESEA"). *34 CFR 300.226(e).*

**Sec. 5. USE OF IDEA PART B FUNDS FOR TITLE 1 PROGRAMS**

Notwithstanding any other provisions related to commingling of funds, RYSS may use IDEA Part B funds received for any fiscal year to carry out a Title 1, Part A school wide programs under ESEA, except that the amount may not exceed:

- the amount received by the school under IDEA Part B for that fiscal year; divided by
- the number of students with disabilities in the jurisdiction of the school; and multiplied by
- the number of students with disabilities participating in the school wide program.

*34 CFR 300.206; 20 U.S.C. 1413.*

**Sec. 6. COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS: TITLE 1**

To the extent required under Title 1 of the ESEA, RYSS shall ensure equity among school programs in staff/student ratios and in expenditures of money for curriculum materials and instructional supplies. "Staff" shall include teachers, administrators, and auxiliary personnel. In special programs, such as special education and bilingual education, a lower ratio may be maintained and more money may be spent as necessary to fulfill other legal requirements.



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The parental involvement program shall be set up in accordance with requirements of Title 1 of the ESEA, as applicable. Parental involvement is encouraged and required in the planning and decision-making process for the school and for the campus.



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