Maintenance of Effort (MOE) Reduction Eligibility Decision Tree and Worksheets

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IDEAs that Work
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Purpose

The *Maintenance of Effort (MOE) Reduction Eligibility Decision Tree and Worksheets* includes three documents to assist state education agencies (SEAs) and local education agencies (LEAs)/educational service agencies (ESAs) with MOE reduction. First is a decision tree that guides SEAs and LEAs through a series of questions to determine an LEA's/ESA's eligibility to reduce MOE. The second document is an Excel-based worksheet that facilitates the calculation of the maximum allowable amount of MOE reduction and coordinated early intervening ervices (CEIS) for the LEAs/ESAs. The third document is an Excel-based worksheet that facilitates the calculation of the maximum allowable amount of MOE reduction and CEIS for all the LEAs/ESAs within the SEA.

Instructions

The SEAs and LEAs/ESAs proceed through a series of questions in the decision tree to determine if an LEA/ESA is eligible to reduce MOE. An LEA/ESA may reduce MOE provided it received an increase in the Individuals with *Disabilities Education Act* (IDEA) Section 611 allocations from the previous year, "meets requirements" determination, maintained free appropriate public education (FAPE), and was not identified with significant disproportionality.

Once the LEA/ESA is determined to be eligible to reduce MOE, the Excel-based worksheet is designed to allow for the SEA and/or LEA/ESA to correctly calculate the maximum allowable amount of MOE reduction and CEIS.

A   Did the LEA/ESA...

receive an increase in its IDEA Section 611 allocation for the current Federal Fiscal Year when compared to the previous Federal Fiscal Year?

Eligibility to reduce Maintenance of Effort: 34 CFR § 300.205(a)

YES

GO — Proceed to next question

NO

STOP — LEA/ESA is not eligible for MOE reduction pursuant to 34 CFR § 300.205(a)

B   Did the LEA/ESA...

1) receive "Meets Requirements" on the determination that controls whether the LEA/ESA may be able to reduce MOE and

2) establish and maintain programs of free appropriate public education (FAPE) that meet the requirements of Section 613(a)?

- EMAPS User Guide: IDEA Part B Maintenance of Effort (MOE) Reduction and Coordinated Early Intervening Services (CEIS)
- Eligibility to reduce Maintenance of Effort: 34 CFR § 300.205(c)
- Ineligibility to reduce Maintenance of Effort:
  - 34 CFR § 300.608(a)
  - Secretary's 'Dear Colleague' letter on determinations

YES

GO — Proceed to next question

NO

STOP — LEA/ESA is not eligible for MOE reduction pursuant to 34 CFR § 300.205(c)

C   Is the LEA/ESA...

required to reserve 15% of its IDEA funds (Section 611 and Section 619) for Coordinated Early Intervening Services (CEIS) due to a determination of significant disproportionality for the reference school year?

- Required to reserve CEIS due to significant disproportionality: 34 CFR § 300.646(b)(2)
- Eligibility to reduce Maintenance of Effort: 34 CFR § 300.205(c)
- *Navigating Coordinated Early Intervening Services (CEIS) White Paper*
- *Methods for Assessing Racial/ Ethnic Disproportionality in Special Education: A Technical Assistance Guide* (Revised)
- Relationship between the MOE reduction and CEIS: OSEP Memo 08-09
- The *American Recover and Reinvestment Act of 2009* Guidance

NO

$ — LEA/ESA is eligible for MOE reduction pursuant to 34 CFR §300.205

GO —
Proceed to the MOE Reduction Eligibility Worksheet for LEA/ESAs located in the IDC Resource Library

Proceed to the MOE Reduction Eligibility Worksheet for SEAs located in the IDC Resource Library

YES

STOP — LEA/ESA is not eligible for MOE reduction pursuant to 34 CFR § 300.205(c)