

## Significant Disproportionality Fiscal Requirements Quick Reference Guide

## What are the fiscal requirements for school districts identified with significant disproportionality?

School districts, or local education agencies (LEAs), identified with significant disproportionality are required to **reserve 15 percent of their total IDEA Part B funds (Fund Codes 0240 and 0262)** to provide for comprehensive coordinated early intervening services (also known as “comprehensive CEIS” or “CCEIS”). CCEIS must address factors contributing to the significant disproportionality.[[1]](#footnote-2)

## What are comprehensive coordinated early intervening services (CCEIS)?

CCEIS are a broad range of services focused on addressing the factors that contributed to the identification of significant disproportionality. These factors may include, but are not limited to:

* a lack of access to scientifically based instruction;
* economic, cultural, or linguistic barriers to appropriate identification or placement in particular educational settings;
* inappropriate use of disciplinary removals;
* lack of access to appropriate diagnostic screenings; and
* differences in academic achievement levels.[[2]](#footnote-3)

**What groups should be served using CCEIS funds?**

CCEIS funds may be used primarily, but not exclusively, to support currently eligible students.[[3]](#footnote-4) LEAs may serve students that are:

* from age three through grade 12
* particularly, but not exclusively, in the group(s) that was significantly over-identified
* 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, *and* children currently identified as needing special education or related services.[[4]](#footnote-5)

## How must an LEA use funds reserved for CCEIS?

An LEA must use 15% of their total IDEA Part B funds (Fund codes 240 and 262) to identify and address the factors that contributed to the identified significant disproportionality. This includes examination of an amendment to policies, practices, or procedures (PPPs) the LEA identifies as contributing to the significant disproportionality, including PPPs that result in a failure to identify, or inappropriately identify, students from a racial or ethnic group(s).[[5]](#footnote-6) Allowable activities include:

* Professional development
* Educational supports and
* Behavioral evaluations, services, and supports.

## When are identified districts required to use CCEIS?

A district is required to reserve and spend IDEA Part B funds for CCEIS in either the year in which the significant disproportionality is identified or the year following identification. Per Massachusetts policy, LEAs are required to spend funds in the year following the identification of significant disproportionality and funds must be spent in that year and cannot be carried over into the following year.

For example, an LEA notified in FY 20 that it had significant disproportionality in one or more categories (see *What is Significant Disproportionality Quick Reference Guide*) must use 15 percent of its combined IDEA Part B entitlement grants (Fund Codes 240 + 262) in FY 21 to provide CCEIS to address the identified disproportionality.[[6]](#footnote-7)

## DESE Significant Disproportionality Resources

* + <http://www.doe.mass.edu/sped/idea2004/sig-dispro/resources.html>

For questions related to: Significant Disproportionality, please email [specialeducation@doe.mass.edu](mailto:specialeducation@doe.mass.edu).

Fiscal Requirements, please email [IDEAFiscal@mass.gov](mailto:IDEAFiscal@mass.gov)

1. [34 C.F.R. §300.646(d)](https://sites.ed.gov/idea/regs/b/f/300.646/d) [↑](#footnote-ref-2)
2. [34 C.F.R. §300.646(d)(1)(ii)](https://sites.ed.gov/idea/regs/b/f/300.646/d/1/ii) [↑](#footnote-ref-3)
3. [34 C.F.R. §300.646(d)(3)](https://sites.ed.gov/idea/regs/b/f/300.646/d/3) [↑](#footnote-ref-4)
4. [34 C.F.R. §300.646(d)(2)](https://sites.ed.gov/idea/regs/b/f/300.646/d/2) [↑](#footnote-ref-5)
5. [34 C.F.R. §300.646(d)(1)(iii)](https://sites.ed.gov/idea/regs/b/f/300.646/d/1/iii) [↑](#footnote-ref-6)
6. [34 C.F.R. §300.646(d)](https://sites.ed.gov/idea/regs/b/f/300.646/d) [↑](#footnote-ref-7)