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# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Sondra Aguilera, Chief Academic Officer

**Meeting Date** November 16, 2023

**Subject** 2023 Assurance of Compliance: Significant Disproportionality Compliance for Improvement Monitoring (CIM) for Comprehensive Coordinated Early Intervening Services (CCEIS)

**Ask of the Board** Accept the responsibility for implementing the compliance steps for Significant Disproportionality Compliance for Improvement Monitoring (CIM) for Comprehensive Coordinated Early Intervening Services (CCEIS) by adopting the 2023 Assurance of Compliance.

**Background** Every year a District in the State of California is identified for Significant Disproportionality Compliance for Improvement Monitoring (CIM) for Comprehensive Coordinated Early Intervening Services (CCEIS), the District must assure that they will comply with the compliance and monitoring steps.

**Discussion** Oakland Unified School District will continue in the Significant Disproportionality Compliance for Improvement Monitoring (CIM) for Comprehensive Coordinated Early Intervening Services (CCEIS) and therefore, must accept the responsibility of implementing the compliance and monitoring steps.

**Fiscal Impact** The LEA shall comply with 34 Code of Federal Regulations (CFR) Section 300.646, which requires an LEA to: (1) reserve exactly 15 percent of the Part B IDEA sections 611 and 619 funds received for Comprehensive Coordinated Early Intervening Services (CCEIS). The LEA cannot reduce its state and/or local expenditures for the maintenance of effort by the allowable 50 percent adjustment of the new IDEA funds received in FFY 2023–24.

**Attachment(s)**

- 2023 Assurance of Compliance



# Assurance of Compliance

Significant Disproportionality Compliance and Improvement Monitoring (CIM) for Comprehensive Coordinated Early Intervening Services (CCEIS)



## Individuals with Disabilities Education Act of 2004, Part B Grant

Within 30 days upon receipt of notification of Significant Disproportionality, the Assurance of Compliance must be signed and emailed to [intensivemonitoring@cde.ca.gov](mailto:intensivemonitoring@cde.ca.gov).

As a special condition for receipt of the federal fiscal year (FFY) 2023 Individuals with Disabilities Education Act (IDEA) Part B grant funds, the local educational agency (LEA) must meet the following:

### Part 1:

The LEA shall comply with 34 Code of Federal Regulations (CFR) Section 300.646, which requires an LEA to: (1) reserve exactly 15 percent of the Part B IDEA sections 611 and 619 funds received for Comprehensive Coordinated Early Intervening Services (CCEIS). The LEA cannot reduce its state and/or local expenditures for the maintenance of effort by the allowable 50 percent adjustment of the new IDEA funds received in FFY 2023–24; (2) provide for the review and, if applicable, revise the policies, procedures, and practices used for the identification or placement of students into special education that comply with IDEA requirements; and (3) publicly report any revision of policies, procedures, and practices in Part 1(b).

### Part 2:

Any LEA that uses 15 percent of IDEA Part B funds for CCEIS must report annually to the California Department of Education (CDE), the state education agency, on (1) the number of students who receive CCEIS; and (2) the number of students who received early intervening services, and who subsequently receive special education and related services within two years after receiving CCEIS.

### Part 3:

The LEA shall comply with the provisions of IDEA (20 United States Code Section 1413[f]) and the regulations in 34 CFR Section 300.226 which define and describe CCEIS. Specifically, CCEIS funds may be used to supplement, but not supplant, services aligned with, and activities funded by, and implemented with a federally funded project; most notably, the Elementary and Secondary Education Act which includes Title I services. There is not a requirement to “supplement not supplant” for state or local funds (34 CFR Section 208 [a]). CCEIS funds may be used to develop and support a multi-tiered system of prevention and intervention options, but may not be used to support the implementation of core or universal activities designed to provide high quality instruction to all students in a grade, school, or LEA.

### Part 4:

The LEA shall report to the Special Education Division the FFY 2023–24 Part B IDEA section 611 grant amounts for Resource 3310 allocation and Subgrant 619 grant amounts for Resource 3315 allocation.

## Part 5:

For FFY 2023–24, the LEA shall provide a budget allocation and allowable costs budget to the California Department of Education (CDE) for the 15 percent of Part B IDEA funds used for CCEIS. LEAs are permitted to use IDEA Part B funds to develop and provide CCEIS within the allowable budget period, July 1, 2023, through September 30, 2025. The allowable cost budget shall detail how and for whom these funds will be spent to implement and/or improve the LEAs CCEIS Programmatic Improvement Process. All of the allowable budget items MUST be part of CCEIS for students ages three to grade twelve. The LEA is required to obtain a minimum of ten hours of technical assistance (TA) for each indicator identified. The TA facilitator(s) must be a SPP-TAP TA facilitator.

## Part 6:

The LEA shall implement CCEIS as described in the Essential Questions and Answers document by the Office of Special Education Programs, Office of Special Education and Rehabilitations Services, U.S. Department of Education (ED) on the ED Web page at <https://sites.ed.gov/idea/files/significant-disproportionality-qa-03-08-17.pdf>. (Enclosure 7)

## Part 7:

The LEA shall comply with the guidance and monitoring provided by the CDE including making records, data, and reports available through a knowledgeable and accountable contact person. The SELPA director must certify their involvement in the development of the CIM for CCEIS Action Plan, any addendums, fiscal information, and quarterly reports.

### Complete the required information for the identified LEA:

LEA Name: Oakland USD	County District Code: Alameda County; 0113
LEA Contact Name: Dr. Sondra Aguilera	LEA Contact Email: <a href="mailto:sondra.aguilera@ousd.org">sondra.aguilera@ousd.org</a>
SELPA Name: Oakland	SELPA Contact Email: <a href="mailto:rain.johnson@ousd.org">rain.johnson@ousd.org</a>

### The following signatures convey agreement with the above seven parts:

LEA Superintendent (Print Name & Signature): Dr. Kyla Johnson-Trammell 	Date Signed: September 13, 2023 Contact Phone: 510-879-8000
LEA Special Education Director (Print Name & Signature): Jennifer Blake	Date Signed: September 13, 2023 Contact Phone:
School Board Chairperson (Print Name & Signature): President Mike Hutchinson	Date Signed: September 13, 2023 Contact Phone:
SELPA Director (Print Name & Signature): Rain Johnson 	Date Signed: September 13, 2023 Contact Phone: 510-879-5003



**11/17/2023**

**Mike Hutchinson, President, BOE**



**11/17/2023**

**Kyla Johnson-Trammell, Superintendent & Secretary,  
BOE**