

IDEA Maintenance of Effort: Eligibility for FY2023

ESS Program Management essprogmgmt@azed.gov

Revised 07.14.2022

What is Local Education Agency Maintenance of Effort?

The local Maintenance of Effort (MOE) requirement obligates any local education agency (LEA) receiving IDEA Part B funds to budget and spend at least the same amount of local - or state and local – funds for the education of children with disabilities on a year-to-year basis. The required MOE levels for budgeting and spending are referred to, respectively, as the "eligibility standard" and the "compliance standard."

Why is LEA MOE important?

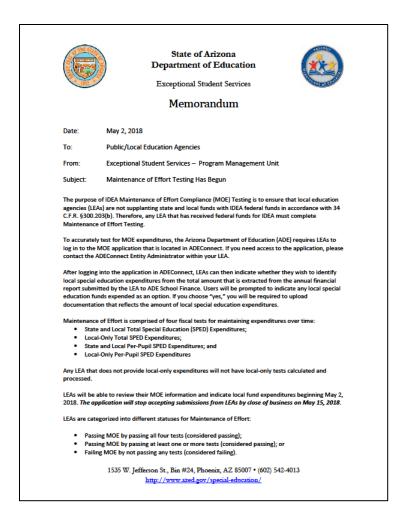
The intent behind the LEA MOE requirement is to help ensure that the LEA is expending at least a certain level of non-federal funds for the education of students with disabilities.

What are the consequences for failing to meet the MOE Standards?

- An LEA is not eligible to receive IDEA Part B funds until it has met the MOE eligibility (i.e., budget) standard.
- If an LEA fails to meet its MOE compliance (i.e., expenditure) standard, the Arizona Department of Education must repay the U.S. Department of Education.
 - The ADE requires the LEAs who fail to meet the compliance standard to reimburse any funds remitted to the federal government on the LEA's behalf.

Arizona's Federal Fiscal Audit Finding

- The Arizona Department of Education received a finding from the Office of Special Education Programs (OSEP) in which it was determined that the department was not allowing adequate input for testing methodologies for testing Maintenance of Effort, specifically local only funds.
- ESS evaluated all aspects of Maintenance of Effort and also determined that certain values for exceptions and/or reductions specifically for local-only funds were not storing values year-over-year correctly. This was fixed but required all testing to be recalculated from 2012 to the current fiscal year.



When is MOE calculated in Arizona?

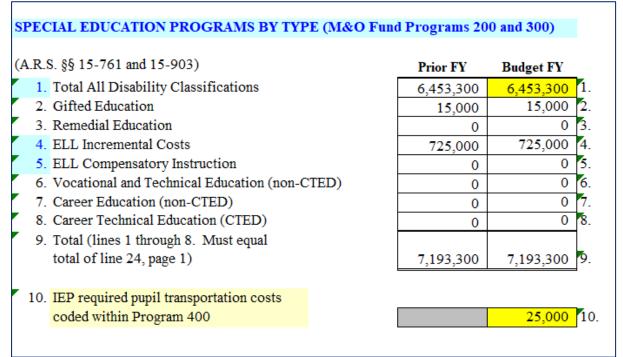
- Arizona breaks down the testing into two separate testing windows using data gathered by School Finance.
 - The compliance standard is tested in March using the Annual Financial Report (AFR) submitted to School Finance by October 15 using data from the prior fiscal year.
 - The eligibility standard is tested in July using the Adopted Budget submitted to School Finance by July 15 of the upcoming fiscal year.

Example

Compliance – FY21 AFR was submitted by October 15, 2021, and the compliance standard was tested in March 1- March 31, 2022. Eligibility – FY23 Adopted budget will be submitted by July 18, 2022, and the eligibility standard will be tested July 18 – August 15, 2022.

Where does ADE/ESS get the data?

• For the Eligibility standard, the Exceptional Student Services (ESS) team looks at the sum of two cell values on the Adopted Budget for the upcoming fiscal year, typically found on page 2 of the Budget.

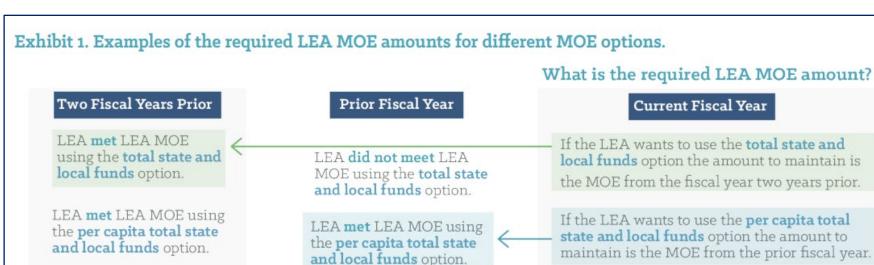


 For the Eligibility standard, the sum of the values in the cells for Total All Disability Classifications and IEP required pupil transportation costs coded within Program 400 in the Budget FY column will be your testing year data that we compare to your LEA's comparison year data.

How is MOE calculated in Arizona?

- For both standards, LEAs have four options to demonstrate they have met the MOE requirement:
 - Method 1 Total amount of local funds
 - Method 2 Total amount of state and local funds
 - Method 3 Per capita (i.e., per child with a disability) amount of local funds
 - Method 4 Per capita amount of state and local funds
- For the eligibility standard, the amount an LEA budgets for the education of children with disabilities (upcoming budget year) is compared to the amount the LEA spent in the last year in which the LEA met the MOE requirement for each of the methods (comparison year).
- For the compliance standard, the amount an LEA spent in the testing year (prior year AFR) is compared to the amount the LEA spent in the last year in which the LEA met the MOE requirement for each of the methods (comparison year).
- Remember, an LEA only needs to meet the standard for ONE of the methods to pass the MOE test.

Why are there two different comparison years?



- The LEA only needs to pass ONE of the methods to meet the MOE standard. That is why there are some LEAs that have different comparison years for each of the methods. The comparison year is locked in when an LEA meets the standard for a given method during the Compliance testing window.
- In the compliance example on this page, the Method 2 comparison year would be 2 fiscal years prior and the Method 4 comparison year would be the prior fiscal year.

How does ADE/ESS determine which comparison year is used?

Comparison years are established when your LEA meets the MOE Compliance standard each spring. In the example below, the LEA met the standard for Method 2 – locking in a new funding threshold to budget against for the next eligibility test \$156,680. However, the Method 4 comparison year target remains the 2019 value of \$6,655.46 for per pupil expenditures.

•					
EA Fund Compliance Tes	t				
scal Year: 2022					
ntity ID:					
A (CTDS):		1			
atus: Closed (Met)		•			
ception Year: 2021					
	Overall	Method 1	Method 2	Method 3	Method 4
		Local Cost	2019 State and Local Cost	Local Per Capita Cost	2019 State and Local Per Capita Cost
2021 Amount		N/A	\$156,680.00	N/A	\$6,609.58
Comparison Year Amount		N/A	\$123,126.00	N/A	\$6,655.46
Difference		N/A	\$33,554.00	N/A	(\$45.88)
2021 SPED Count				N/A	x 23.7050
Total Difference		N/A	\$33,554.00	N/A	(\$1,087.67)
Status	Met	N/A	Met	N/A	Not Met

ESS Maintenance of Effort Application

Arizona uses an ADE/IT-built application found in the Exceptional Student Services Portal of ADEConnect.

Event Management System (EMS)	☆ 🗹
Exceptional Student Services Portal	☆ 🗹
Grants Management	☆ 🗹
IT Change Management	☆ 🗹



ESS Maintenance of Effort Application – Home Page

Home	LEA Activities 👻 Help 👻	Welcome, ESS LEAGroup ESS! 🔻
Hon Freque	Eligibility Compliance LEA Submission Details	

The FY2023 MOE Eligibility Testing window will be open from July 18 - August 15, 2022. PEAs that have met the eligibility standard will be closed by the ESS Program Management team to allow processing of the FY2023 IDEA Consolidated - Entitlement Grants.

The MOE Eligibility testing data reflects the State & Local funds reported on your 2023 Adopted Budget and the estimated SPED count from the SPED20 report from AzEDS. These values are compared against the MOE Compliance standards established in the FY22 MOE Compliance test in March 2022. To pass the MOE Eligibility test, only one of the four available methodologies must meet or exceed your comparison year's compliance value, also known as the compliance standard.

If your PEA has failed the MOE Eligibility test, please review your test results by clicking on LEA Activities -->Eligibility. Then, choose No for Local Only funds and confirm your choice.

PEAs that have failed both method 2 and method 4 may resolve the MOE Eligibility case by:

- · Submitting allowable exceptions through the MOE Application, or
- Submitting a revised budget through the School Finance Common Logon

If you plan to submit a revised budget, you must e-mail ESS Program Management with the file reference number of the revised budget once the School Finance Budget Team has successfully processed it. The deadline to submit a revised adopted budget to School Finance or enter exceptions/reductions to the ESS MOE application is August 15, 2022.

If you plan to submit allowable exceptions, please review the FAQ document in the Help menu for details on the six allowable exceptions. You will need to enter that into the system and upload supporting documentation. Once you are ready to submit your MOE Eligibility data, please navigate to the Submission Summary page. Enter a comment in the LEA comment box, acknowledge the statement to verify your submission, and press Submit. This year, narratives from SPED Directors are required for any exceptions from A, C, D, or E.

Failure to meet the MOE Eligibility standard will affect your substantial approval of the IDEA grant and your PEA's ability to draw down funds for FY23.

Please e-mail ESS Program Management if you have any questions about your MOE Eligibility test.

Review training materials from the March

- MOE Webinar Powerpoint
- Zoom Recording Link

Contact Information

For questions related to MOE data entry,

This is the homepage that you'll see whenever you log into the MOE application. You will click on LEA Activities and choose eligibility to get to the next screen.

Include Local Only?

Include Local Only?	Pending
	the only funds that would be applied here are school districts that have levied a tax against residents or e PEA does not generate local only revenue, please select "No" and move on to the next section of the
	cate whether they wish to identify local special education expenditures out of the total amount that is oad documentation that reflects the amount of local special education expenditures. Any uploaded l approved then MOE testing will be processed using all four methodologies, otherwise only two
§300.203 - Maintenance of effort. (i) Local funds only: (ii) The combination of State and local funds; (iii) Local funds only on a per capita basis; or (iv) The combination of State and local funds on a per capita basis. Yes No	essmoetestaps.azurewebsites.net says By selecting No, you agree to waive your ability to enter Local Only values for MOE Eligibility. Continue? OK Cancel

- Most LEAs in the state are unable to claim Local Only Funds.
 - If an LEA elects to submit Local Funds for testing, documentation must be uploaded into the MOE Application
- If your LEA's Maintenance and Operations (M&O) funding is from State Aid only, choose No and then click the OK button to continue to the next screen.

Eligibility Test Results - Pass

- In this example, the LEA has passed Method 2, but failed Method 4. The comparison years were 2021 and 2014, respectively. Click Continue to advance to the next screen.
- Remember, the LEA only needs to pass one method to pass the overall test.

er to meet the MOE eligibility re ost recent year for which inform		-	ict/charter must budget, at least the s	ame total or per capita amount, of lo	ocal funds or state and local funds, as it spent
	Overall	Method 1 Local Cost	Method 2 2021 State and Local Cost	Method 3 Local Per Capita Cost	Method 4 2014 State and Local Per Capita Cost
2023 Amount		N/A	\$64,000.00	N/A	\$3,208.02
Comparison Year Amount		N/A	\$48,920.00	N/A	\$3,303.42
Difference		N/A	\$15,080.00	N/A	(\$95.40)
2023 SPED Count				N/A	x 19.9500
Total Difference		N/A	\$15,080.00	N/A	(\$1,903.19)
Status	Met	N/A	Met	N/A	Not Met

Eligibility Test Results - Submission

Submission Summary	Agen Peorl Dense Tage Televel Dens and Children Peorland
Supporting Documentation	
Supporting Documentation must be uploaded if you are submitting data for Exception A, Exception C, Exception D, and/or Exception E.	
Upload Documents	
Comments	
LEA Comments	
MOE Eligibility met	G,
ADE Comment History Show	
Acknowledgement	
By checking this box you certify that, to the best of your knowledge, this information is truthful and accurate. Your certification is considered on the Government Paperwork Elimination Act.	dered an electronic record with legal effect, validity, and
NOTE: The information provided here is considered preliminary. It will only be used to determine the district's/charter's eligibility according	to federal IDEA regulations (34 CFR §§ 300.204-300.205).
Changes made to the district's/charter's budget will not become official until after a budget revision has been submitted to School Finance (accepted in the School Finance system.	A.R.S. § 15-915) and the budget revision has been
Submit Cancel	Back

To submit your data, you must enter a comment in the LEA Comments box, click on the Acknowledgment, and click the Submit button.

Eligibility Test Results – Successful Submission

Submitte
×
Exception/Reduction Amount
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00

In this example, the LEA has successfully submitted the MOE data and is now ready to have the FY22 IDEA grant processed for State Education Agency (SEA) Director approval.

What happens if my LEA doesn't meet the Eligibility standard?

- Remember, an LEA is not eligible to receive IDEA Part B funds until it has met the MOE Eligibility standard.
- If your PEA does not pass the MOE Eligibility test, you will have two options:
 - 1 submit allowable exceptions and reductions through the ESS Maintenance of Effort application
 - 2 submit a new budget to School Finance that appropriately meets the Eligibility standard requirement
- Please note, your IDEA Consolidated Entitlement Grant cannot be approved until you meet the Eligibility standard. If your LEA fails Eligibility testing on 7/18/22, your application will be returned and you will be required to submit your application again **once** your LEA has met the MOE Eligibility Standard.
 - This may affect your LEA's ability to obligate funds and claim reimbursements in the new fiscal year.



Examples of MOE Eligibility Testing Failures

Log in to the ESS MOE Application Home Page



processing of the FY2023 IDEA Consolidated - Entitlement Grants. The MOE Eligibility testing data reflects the State & Local funds reported on your 2023 Adopted Budget and the estimated SPED count from the SPED20 report from AzEDS. These values are compared

against the MOE Compliance standards established in the FY22 MOE Compliance test in March 2022. To pass the MOE Eligibility test, only one of the four available methodologies must meet or exceed your comparison year's compliance value, also known as the compliance standard.

If your PEA has failed the MOE Eligibility test, please review your test results by clicking on LEA Activities -->Eligibility. Then, choose No for Local Only funds and confirm your choice.

PEAs that have failed both method 2 and method 4 may resolve the MOE Eligibility case by:

- · Submitting allowable exceptions through the MOE Application, or
- Submitting a revised budget through the School Finance Common Logon

If you plan to submit a revised budget, you must e-mail ESS Program Management with the file reference number of the revised budget once the School Finance Budget Team has successfully processed it. The deadline to submit a revised adopted budget to School Finance or enter exceptions/reductions to the ESS MOE application is August 15, 2022.

If you plan to submit allowable exceptions, please review the FAQ document in the Help menu for details on the six allowable exceptions. You will need to enter that into the system and upload supporting documentation. Once you are ready to submit your MOE Eligibility data, please navigate to the Submission Summary page. Enter a comment in the LEA comment box, acknowledge the statement to verify your submission, and press Submit. This year, narratives from SPED Directors are required for any exceptions from A, C, D, or E.

Failure to meet the MOE Eligibility standard will affect your substantial approval of the IDEA grant and your PEA's ability to draw down funds for FY23.

Please e-mail ESS Program Management if you have any questions about your MOE Eligibility test.

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Contact Information

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This is the homepage that you'll see whenever you log into the MOE application. You will click on LEA Activities and choose eligibility to get to the next screen.

Include Local Only?

(duplicate slide)

Include Local Only?

Pending

Local only funds may not include funds derived from state aid or other federal sources. Typically, the only funds that would be applied here are school districts that have levied a tax against residents or public education agencies that have received donations or other non-governmental revenue. If the PEA does not generate local only revenue, please select "No" and move on to the next section of the MOE application.

In order to accurately test for Maintenance of Effort (MOE), the public education agency must indicate whether they wish to identify local special education expenditures out of the total amount that is extracted from an annual financial report. If the user chooses "yes," he/she will be required to upload documentation that reflects the amount of local special education expenditures. Any uploaded documentation will be reviewed by an ESS fiscal specialist. If local expenditures are submitted and approved then MOE testing will be processed using all four methodologies, otherwise only two methodologies will be capitalized.

§300.203 - Maintenance of effort.



- Most LEAs in the state are unable to claim Local Only Funds.
 - If an LEA elects to submit Local Funds for testing, documentation must be uploaded into the MOE Application
- If your LEA's Maintenance and Operations (M&O) funding is from State Aid only, choose No and then click the OK button to continue to the next screen.

Eligibility Test Results – Fail Example 1

Eligibility Test Results

In order to meet the MOE eligibility requirement in this fiscal year the district/charter must budget, at least the same total or per capita amount, of local funds or state and local funds, as it spent during the most recent year for which information is available.

	Overall	Method 1 Local Cost	Method 2 2020 State and Local Cost	Method 3 Local Per Capita Cost	Method 4 2016 State and Local Per Capita Cost
2022 Amount		N/A	\$0.00	N/A	\$0.00
Comparison Year Amount		N/A	\$64,964.00	N/A	\$18,604.50
Difference		N/A	(\$64,964.00)	N/A	(\$18,604.50)
2022 SPED Count				N/A	x 9.0729
Total Difference		N/A	(\$64,964.00)	N/A	(\$168,796.77)
Status	Not Met	N/A	Not Met	N/A	Not Met
					Back Continue

In this example, the LEA has failed both Method 2 and Method 4. The comparison years were 2020 for Method 2 and Method 4. As this LEA did not budget anything for SPED M&O, they will need to submit new budgets to be tested.

Special education programs by ty	pe	
	Program 200	Program 200
	prior year	budget year
	2021	2022
1. Total all disability classifications	53,455	0
2. Gifted education	0	
3. ELL incremental costs	0	
ELL compensatory instruction	0	
5. Remedial education	0	
Vocational and technical ed.	0	
7. Career education	0	
8. Total (lines 1-7)	53,455	0
		-
9. Expenses budgeted for transporting students with disabilities (as		
defined in A.R.S. §15-761) unique to the IEP		

Pending

Eligibility Test Results – Fail Example 2

Eligibility Test Results

Pending

In order to meet the MOE eligibility requirement in this fiscal year the district/charter must budget, at least the same total or per capita amount, of local funds or state and local funds, as it spent during the most recent year for which information is available.

	Overall	Method 1 Local Cost	Method 2 2020 State and Local Cost	Method 3 Local Per Capita Cost	Method 4 2020 State and Local Per Capita Cost
2023 Amount		N/A	\$67,845.00	N/A	\$1,658.19
Comparison Year Amount		N/A	\$202,440.00	N/A	\$4,308.15
Difference		N/A	(\$134,595.00)	N/A	(\$2,649.96)
2023 SPED Count				N/A	× 40.9150
Total Difference		N/A	(\$134,595.00)	N/A	(\$108,422.98)
Status	Not Met	N/A	Not Met	N/A	Not Met
				\mathbf{N} .	Back Continu

In this example, the LEA has failed both Method 2 and Method 4. The comparison years were 2020 for Method 2 Method 4. This LEA has the opportunity to submit allowable exceptions/reductions to meet the Eligibility standard.

Allowable Exceptions/Reductions

Allowable Exceptions/Reductions

Annual de Lagrange des President Stationer (NP 60-12-2008)

Pending

SEC. 300.204 Exception to maintenance of effort.

Notwithstanding the restriction in Sec. 300.203(a), an LEA may reduce the level of expenditures by the LEA under Part B of the Act below the level of those expenditures for the preceding fiscal year if the reduction is attributable to any of the following:

- (a) The departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- (b) A decrease in the enrollment of children with disabilities.
- (c) The termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child
 - (1) Has left the jurisdiction of the agency;
 - (2) Has reached the age at which the obligation of the agency to provide FAPE to the child has terminated;
 - (3) No longer needs the program of special education.
- (d) The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.
- (e) The assumption of cost by the high cost fund operated by the SEA under Sec. 300.704(c).

(Authority	: 20	U.S.C.	1413(a)(2)(B))
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SEC. 300.205 Adjustment to local fiscal efforts in certain fiscal years

(f) Amounts in excess. Notwithstanding Sec. 300.202(a)(2) and (b) and Sec. 300.203(a), and except as provided in paragraph (d) of this section and Sec. 300.230(e)(2), for any fiscal year for which the allocation received by an LEA under Sec. 300.705 exceeds the amount the LEA received for the previous fiscal year, the LEA may reduce the level of expenditures otherwise required by Sec. 300.203(a) by not more than 50 percent of the amount of that excess.

(Authority: 20 U.S.C. 1413(a)(2)(C))

Back

Click on the Continue button to review each exception/reduction or click on the hyperlinked letter to the left of the screen to jump to a specific page.

Note – there are two system-generated exceptions, B and F, be sure to review these for your LEA.

Where can I learn more about allowable exceptions/reductions?

	ESS IDEA Maintenance of Effort Exceptional Student Services
Home LEA Activities 🔻	Help 👻
Home Frequently Asked Question	Frequently Asked Questions (FAQs) ESS Operations Contact Information
	MOE) Eligibility window will be open July 16, 2020, until <u>August 15, 2020</u> . The Eligibility Standard is a d the amount established in the last round of compliance testing.
To view your active testing page.	window, please choose LEA Activities> Eligibility. If you plan to submit exceptions/reductions, you

Click on the Help menu and open the FAQs document.

Exception B – SPED Student Decrease

Decrease in SPED Enrollment					Pending
B: Allowable Exception – Decrease in SPED Enrollment:	A decrease in the enro	llment of children with disabilities.			, criang
FY 2020 SPED 28	- FY 2022 SPED 28 estimated from FY2021 SPED28		=	SPED Student Decrease	
22.9900	-	20.8600	=	2.1300	
Student Decrease	x	FY 2020 PPE	=	Total Decrease in SPED	
2.1300	Х	3249.2388	=	<mark>\$6,920.88</mark>	
If applicable, by checking this box, you certify that t wish to use this reduction as an exception for purposes			ith disabilities for your lo	ocal education agency. This	acknowledges that you
Save Cancel			Back	Continue	Submission Summary
				, v	

If Exception B is available to you, you'll see a positive number in the Total Decrease in SPED value listed on this page. You can click on the button, save your work, and continue through the remaining pages until you reach the submission summary.

Submission Summary

ubmission Summary	Pendi			
Message: File upload was successful.				
Exceptions/Reductions				
Description	n	Exception/Reduction Amount		
A. Special Education Staff Departures	In this example, the LEA has	\$55,000.00		
B. Decrease in SPED Enrollment	successfully submitted the	\$0.00		
C. Termination of Obligations	MOE data in the application.	\$0.00		
D. Termination of Costly Long-Term Purchases	It must also submit supporting	\$0.00		
E. The Assumption of Cost by the High Cost Fund Operated by the SEA	documentation on the	\$0.00		
F. Allowable Adjustment to Local Fiscal Efforts	submission summary page.	\$0.00		
Total Exceptions/Reductions	Once the LEA passes MOE	\$55,000.00		
Total Amount of Exceptions/Reductions Requested \$55,000.00	Eligibility, the IDEA Consolidated – Entitlement grant may be resubmitted for			
Supporting Documentation	approval.			
Supporting Documentation must be uploaded if you are submitting data for Exception A	, Exception C, Exception D, and/or Exception E.			

How does MOE Eligibility affect my IDEA Grant application?

- Your IDEA Consolidated Entitlement Grant application's approval is dependent on programmatic review and meeting the MOE Eligibility standard.
- Your LEA's IDEA Consolidated Entitlement Grant application will be <u>rejected</u> if you fail MOE Eligibility testing on 7/18/22.
- You will need to <u>resubmit</u> your application once your LEA meets MOE Eligibility standard.
- Example:

If your grant is rejected on 7/18 and is not resubmitted again until 8/1. Your LEA will not be able to claim any reimbursement for the periods that your LEA was ineligible 7/1 - 7/31. Any expenses normally charged to the grant **will not be approved via reimbursement request** for this time period.

Must ALL LEAs be tested for the MOE Eligibility standard?

- Every LEA that submits a budget to School Finance and intends to receive IDEA Part B funds must be tested for MOE Eligibility before the funds are made available to the LEA.
- If a school wants to waive the IDEA Part B funds (IDEA Preschool and IDEA Basic grants), then the school will not need to pass MOE Eligibility testing. The LEA will not be tested for the MOE Compliance standard in the year in which they waived IDEA Part B funds.
 - For FY23, a Met MOE Eligibility test is a requirement for IDEA and American Rescue Plan (ARP) funds.

Questions

- Please contact ESS Program Management for questions about your MOE Eligibility testing.
- <u>essprogmgmt@azed.gov</u> or call 602-542-3398
- To get access to the ADEConnect application, contact your Entity Administrator and request the user role of LEA User for the ESS Funding and Maintenance of Effort application.