

Our organizations (VCSEA, VPA, VSA and VSBA) had a chance to review the draft MOE Documentation Technical Guide with our memberships, in order to bring our feedback to Monday's Advisory Group meeting.

May 2022

Can you share what Federal requirements/guidance exist to document IDEA Maintenance of Effort as required by federal rule? How is the Draft Technical Manual in alignment with this guidance?

In order to prove an LEA has met the MOE eligibility and compliance standards, there must be documentation to support the budget and actual expenditures used to directly serve and provide services for students with disabilities. Act 173 Technical Manuals are implemented to provide a guide to what expenditures are allowed to be included to meet MOE

[Sec. 300.203 Maintenance of effort - Individuals with Disabilities Education Act](#)

Can you provide us with written documentation of how the Agency came to its position that Bulletin 5 (Uniform Guidance: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule) specifically requires that MOE be documented using the same documentation used for Federal grants (IDEA-B, in this case)?

IDEA Part B MOE is a federal requirement, in order to provide documentation that an LEAs special education salary and benefits are an allowable expense for meeting IDEA B MOE, back up documentation must be in alignment to federal guidelines.

Pg 9 of the Draft Technical Manual for MOE documentation includes a number of options for districts to use to document eligible costs; most of these options are some form of time documentation required by Federal grants. Why are these requirements being used for state funds?

For purposes of MOE compliance test, VT provided a list of options for flexibility of LEAs to easily identify/compile how much salary and benefits are allowed. Prior to Act 173 Vt Time Studies (not Federal Time and Effort) was a requirement for staff salary and benefits being funded using Vermont special education funds. These Time Studies provided back up documentation to the LEA SEER for special education reimbursement, when an LEA's State Special Education funds are monitored, this documentation is requested to ensure the staff salary and benefit expenditures were an allowable use of special education funds AND to ensure those expenses are included in that LEA's MOE test.

What other states use these methods for documenting MOE?

If I were in person, I would ask for clarification of this question. Methods for the MOE tests are required for all states with LEAs using IDEA funds. States have flexibility as to how the tests are performed, either at the state or LEA level, dependent on where documentation and data are and are available. Collection methods across the states vary, many states use the LEA MOE calculator that CIFR (Center for IDEA Fiscal Reporting) and provide documentation/technical manuals to LEAs to assist

What other states use these methods for documenting MOE? continued

Like VT most states have a uniform chart of accounts, their State's guidance for meeting MOE identifies special education codes to extract from their accounting system to include those expenditures in their MOE compliance test.

Massachusetts has a similar Technical Manual for Use and Accounting of IDEA Part B entitlement guide linked here;

[Massachusetts](#)

Minnesota has a [ppt](#) that explains the overall process in detail

<https://cifr.wested.org/tools/lea-moe-calculator/>

Has OSEP required that the AOE use these methods for documenting MOE?

OSEP/USED requirements for MOE has not changed. Prior to Act 173, AOE was able to perform MOE eligibility and compliance tests using the Special Education Service Plan, SEER and Childcount, an LEA was contacted when/if they failed a test and given an opportunity to provide additional documentation, allowable exceptions, and/or resubmit if needed.