Maintenance of Effort – Special Education

The letter dated April 21, 2011 from Pat Homberg, Executive Director of the Office of Special Programs, explains that there are four tests to determine whether an LEA meets the maintenance of effort requirement:

1. At least the same total combined amount of local and state funds were expended as the LEA expended on the education of students with disabilities the previous fiscal year;
2. At least the same amount of local funds were expended as the LEA expended on the education of students with disabilities the previous fiscal year;
3. At least the same student per capita amount from local and state funds were expended as the LEA expended on the education of students with disabilities the previous fiscal year; or
4. At least the same student per capita amount from local funds were expended as the LEA expended on the education of students with disabilities the previous fiscal year.

The MOE calculation is performed on the LEA-MOE screen. Get there by choosing "Compliances" and then "LEA-Special Education" from the Five Year Online Strategic Plan site.

Two purposes are served by the MOE calculation:

1. Compliance for the most recent complete fiscal year and
2. Eligibility for the upcoming fiscal year.

Failure to meet MOE on the compliance piece may result in a requirement to repay federal funds from an unrestricted source.

Failure to meet MOE on the eligibility piece will result in a requirement to revise the budget to ensure adequate state and/or local funds will be expended to maintain the necessary effort.

Proper account coding is critical to an accurate MOE calculation. Specifically, ensure that:

1. Medicaid revenue and expenditures are coded to Project 00Y83
2. Medicaid revenues are coded to Revenue Source 04221
3. Expenditures for Gifted are recorded to Program/Function 21271
4. Expenditures for other post employment benefits (OPEB) are recorded properly to Program/Function 2XXXX
5. Expenditures for other post employment benefits (OPEB) are recorded properly to Program/Function 21271 (Gifted)

Private School Screen

LEAs are required to expend a certain amount of IDEA funds for eligible students enrolled in private schools. The Private School Screen will show the required amount.   The LEA enters the number of eligible private school students on that screen. The total number of eligible private school students divided by the total number of eligible students equals the percentage of the IDEA allocation that must be expended for private school students.

WVDE monitors compliance with this requirement by reviewing the amount of expenditures charged to Program/Function code 51510.

Be certain to code all private school student special education expenditures to that program/function code and the appropriate object code, regardless of the activity of the expenditure. For example, staff development for special education in a public school would be coded to 22213, but staff development relating to private school students would be coded to 51510.

Regulations prohibit LEAs from sending these funds directly to the private school. In addition, equipment purchased with these funds must be maintained in the LEAs inventory and remains the property of the LEA.

There are procedures by which an LEA may request a budget revision concerning the required private school expenditures through the Office of Special Programs at WVDE.