

# SPECIAL EDUCATION BUDGETS & GRANT APPLICATION PROCESS

To receive IDEA grant funds, each local educational agency (LEA)<sup>1</sup> must submit a Comprehensive Plan for Special Education and Related Services annually for serving all eligible children with disabilities ages 3 through 21, including parentally-placed private and home school students and those in local jails within the LEA's jurisdiction (Georgia Rule [160-4-7-.17](#)). The federal flow-through grant funds are used to:

- ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and to prepare them for further education, employment, and independent living;
- ensure that the rights of children with disabilities and their parents are protected;
- enhance ongoing learning for parents, teachers, paraprofessionals, and instructional staff;
- provide LEAs with support services and/or technical assistance to children, parents, and staff; and
- assess and ensure the effectiveness of efforts to educate children with disabilities.

### ***Statutes/Regulations***

**Federal:** 20 United States Code 1400, *et seq.*, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) - P.L. 108-446 and 34 CFR Part 300, *et seq.*, establish the authority and parameters for these procedures. Additionally, Title I regulations in 34 C.F.R. Part 200 and the Education Department General Administrative Regulations (EDGAR) in 34 C.F.R. Parts 76 (Except for 76.650 – 76.662 (Participation of students enrolled in private schools)), 77, 81, 82, and 85 and the Uniform Administrative Requirements, Costs Principles and Audit Requirements for Federal Awards in 2 C.F.R. Part 200.

**State:** O.C.G.A. 20-2-152 *et seq.*, Georgia State Board of Education Policy IDDF and Rules 160-4-7-.01 *et seq.* mandate programs and services for students with disabilities enrolled in the public and private schools of Georgia. Georgia Rule [160-4-7-.17 Required Reports](#) states that: The Consolidated Application is due annually. The Comprehensive LEA Improvement Plan (CLIP), a part of the Consolidated Application, is due every year. Annual updates of progress

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<sup>1</sup> Local educational agencies include public boards of education or other public authorities legally constituted within Georgia for either administrative control or direction of, or to perform a service function for public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, including state charter schools and Georgia Department of Juvenile Justice (DJJ).

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and activities toward meeting the IDEA performance goals and indicators are required. The application for federal funds under Part B of IDEA 2004 and state funds for preschool special education is contained in the Consolidated Application. Failure to submit all required components could result in a delay of funding approval.

### *Distribution of Funds*

#### ***Federal Distribution of Funds***

**IDEA Flow-through Grant** – Part B, Section 611 of IDEA 2004 requires that from FY 1999 forward, funds be distributed as follows:

The State shall first award each LEA the amount that agency would have received for FY 1999, if the State had distributed 75% of its grant for that year. After making this base allocation, the State shall allocate 85% of any remaining funds on a basis of relative numbers of children enrolled in public and private elementary and secondary schools within the agency's jurisdiction and allocate 15% of those remaining funds to those agencies in accordance with their relative numbers of children living in poverty. Free and reduced lunch figures from the previous full-time equivalency (FTE – 1) count are utilized to define poverty for each agency ([34 C.F.R. § 300.705](#)).

**IDEA Preschool Grant** – Part B, Section 619 of the IDEA 2004 requires that from FY 1997 forward, funds be distributed as follows:

The State shall first award each agency the amount that agency would have received for FY 1997 if the State had distributed 75% of its grant for that year. After making the base allocation, the State shall allocate 85% of any remaining funds on a basis of relative numbers of children enrolled in public and private elementary and secondary schools within the agency's jurisdiction and allocate 15% of those remaining funds to those agencies in accordance with their relative numbers of children living in poverty. Free and reduced lunch figures from FTE - 1 are utilized to define poverty for each agency ([34 C.F.R. § 300.816](#)).

#### ***Distribution of GNETs, State Preschool, and Other State Grant Funds***

The Georgia General Assembly annually appropriates funds for Georgia Network for Educational and Therapeutic Supports (GNETS), the state preschool program, and for other grants for children with disabilities. The Georgia Department of Education (GaDOE) calculates each grant award based on the number of students who are provided services utilizing a modified Quality Basic Education (QBE) formula.

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In addition, other state grant applications are accepted, reviewed, and approved based on specific grant purposes – Residential and Reintegration, High Cost Fund Pool, and Other State Agencies Grants.

### ***LEA Allocations***

LEA allocations from federal programs, to include state charter schools and state operated programs, are based on a formula provided in the regulations ([34 C.F.R. § 300.705](#)). The United States Education Department (USED), Office of Special Education Programs (OSEP) sends the state allocation to each State Educational Agency (SEA) in the spring. The SEA applies the allocation formula, which has a restricted amount for discretionary and administration funds deducted from the total grant, with the remaining funds distributed to LEAs. This LEA formula has a base allocation of 75% of the FY 1999 allocation amount with any remaining funds for flow-through being distributed based on each LEA's general population (85%) and poverty (15%). Poverty is defined as free and reduced lunch data from FTE-1.

GNETS federal allocations are based on a range within a regional population. All allocations are presented to the State Board of Education (SBOE) for approval at its June meeting. Official LEA allocations are posted on the GaDOE web site following SBOE approval. IDEA provides for a Section 611, Part B Flow-through award and Section 619, Part B Preschool award. The allocations can be found [here](#).

### ***Grant Application Submission***

To receive allocated funds, LEAs must submit grant applications into the GaDOE Consolidated Application Portal. All special education federal and state applications, including detailed budgets, are submitted in this location.

All forms and resources needed for IDEA Budget Approval can be found on the GaDOE website on the Special Education Services and Supports Page > Budgets, Grants, Consolidated Application.

Prior to IDEA 611 Flow through and IDEA 619 Preschool Budget Submission, the following must be completed or attached:

- Prior year reconciliation of Maintenance of Effort (MOE), Excess Cost Calculation, and Cross Functional Monitoring Corrective Action Plans (CAPs)
- IDEA 611 Flow through Budget or Budget Amendment (all LEAs)
- IDEA 619 Preschool Budget or Budget Amendment (all LEAs)
- Prior Approval Requests for Equipment or Participant Support Costs (via email to Budget Liaison)

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- Budget Attachment: Current Year MOE Eligibility Form
- The following information must be submitted in the Consolidated Application inside of the IDEA Flow through Budget for BOTH IDEA grants:
  - Program Information Tab: IDEA Fiscal Monitoring Self-Assessment Tab
  - Program Information Tab: Exceptional Students Tab: Proportionate Share Tab
  - Program Information Tab: Exceptional Students Tab: Coordinating Early Intervening Services (CEIS) Tab
- CEIS and Proportionate Share funds must be included in the budget with specific detailed information and amounts as needed
- All budgets must have detailed information in line item description

### Approval Flow:

- The Budget must be approved by the LEA coordinator > LEA superintendent > IDEA budget liaison > Grants Accounting
- Budget attachments do not require sign off, but must be present on the Attachments tab or the Uploaded Forms tab within the IDEA Budget
- If revisions are necessary, the reviewing IDEA budget liaison rejects the application, giving reason(s) for rejection.

### ***IDEA Fiscal Requirements***

IDEA provides several fiscal requirements that are applicable to IDEA funds. LEAs must maintain the state/local special education financial effort previously provided. LEAs may not use IDEA funds to supplant or replace state or local funds unless the LEA meets maintenance of effort and excess cost requirements.

### ***Maintenance of Effort (MOE) (See 34 C.F.R. §§ 300.203-300.205)***

An LEA is required to maintain effort or spend at least the same amount of state and local funds as it did in the previous year. State and local may be calculated in any of four methods:

(1) State and local combined; (2) local only; (3) state and local combined per capita; and (4) local only per capita. Before receiving IDEA allocations in any fiscal year, an LEA must show evidence they have budgeted at least the same amount using one of the four methods as they did in the most recent year for which data is available. This is done using the MOE Eligibility Worksheet, which must be completed prior to budget approval. The MOE Eligibility Worksheet contains the codes needed to calculate MOE locally. No additional codes are permitted in the final calculation. Therefore, the MOE Eligibility Worksheet must not be altered.

MOE compliance is verified after the GaDOE has received all expenditures from LEAs. The Special Education MOE portal is automatically updated with finalized and approved DE046 results. The MOE compliance results will show whether the LEA met or did not meet using data

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from the most recent fiscal year available. The GaDOE will test aggregate and per pupil expenditures of state and local funds to determine whether the MOE standard is met.

If an LEA fails to meet the MOE standard for the aggregate and per pupil expenditures of state and local special education funds, the LEA may reduce the level of expenditures where such reduction is attributable to one or more of the following MOE exceptions:

- the voluntary departure, by retirement or otherwise, of special education personnel;
- a decrease in the enrollment of children with disabilities;
- the termination of the LEA's obligation to provide a program to a child with a disability that is an exceptionally costly program because the child has left the LEA, reached the maximum age, or no longer needs the program;
- the termination of costly expenditures for equipment; and/or,
- the assumption of the cost by a high cost fund operated by the state.

The Exception to MOE Compliance Requirement form must be completed, approved, and uploaded as an attachment in the Consolidated Application. Substantiating evidence, such as expenditure reports, must also be uploaded. At the beginning of a fiscal year, or any other times exceptions are used because of a failure to maintain effort, this reconciliation must take place before IDEA budgets are able to be approved.

The LEA may also reduce the level of expenditures where such reduction is attributable by using the following adjustment:

- the amount of the 50% reduction in local effort if the LEA's initial allocation was greater than the previous year's allocation.

The LEA Adjustment form must be completed, approved, and uploaded as an attachment in the Consolidated Application. LEAs may request this adjustment at any time during the year, but prior to the reconciliation deadline if MOE compliance is not met.

If the LEA does not meet the MOE compliance requirement with exceptions or adjustments, the SEA determines the amount required to meet the LEA MOE compliance standard for each of the four calculation methods ([34 C.F.R. §§ 300.203\(b\)\(2\)](#)). For each LEA that fails to meet the LEA MOE compliance standard, the SEA subtracts the amount the LEA expended from the amount required to meet the LEA MOE compliance standard to determine the LEA MOE shortfall, for each of the four methods for which amounts are available. The SEA then sums the

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Section 611 and Section 619 subgrants to arrive at the total IDEA Part B subgrant amount received by the LEA in the state fiscal year in which the failure occurred. The lowest of five amounts will be the total repayment the SEA will collect from the LEA using non-federal funds. The SEA will then return the funds to the USED for that LEA.

**Note:** Exceptions and adjustments may be taken at any time even to reduce effort, even if an LEA meets MOE Eligibility and Compliance Standards. All reconciliation must be completed by March 1st following the most recent compliance data available.

### ***Excess Cost (See 34 C.F.R. § 300.16 and § 300.202)***

IDEA funds provided to LEAs may be used only to pay the excess costs of providing special education and related services to children with disabilities. Excess costs are those costs for the education of an elementary or secondary school child with a disability that are in excess of the average annual per student expenditure in an LEA during the preceding school year for an elementary or secondary school child. An LEA must spend at least the average annual per student expenditure on the education of an elementary or secondary school child with a disability **before** IDEA funds can be used to pay the excess costs of providing special education and related services. The LEA is required to compute the minimum average amount separately for children with disabilities in its elementary and secondary schools ([34 C.F.R. § 300.16](#)). This amount is calculated in the Excess Cost portal based on expenditures entered by the LEA. The combined enrollments may not be used to compute this average. The method for calculation of excess cost is available in the regulations at [Appendix A of part 300](#).

### ***Supplement NOT Supplant***

An LEA may use IDEA funds only to supplement and not supplant federal, state, and local funds. If the LEA meets or exceeds its level of state/local expenditures for special education and related services from year to year, either in total or per pupil through the Maintenance of Effort Calculation; and meets the Excess Cost Calculation, then IDEA funds are, in fact, supplementing state/local expenditures.

### ***Commingling of Funds***

Federal funds paid to the state cannot be commingled with state funds (34 C.F.R. § 300.162(b)). This is satisfied by using a separate accounting system for each of the different grant awards to prevent the commingling of funds.

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### *Other Fiscal Requirements*

#### **1. *Coordinated Early Intervening Services (CEIS) (34 C.F.R. § 300.226 and § 300.646)***

- A. The LEA may not use more than 15% of the IDEA funds to develop CEIS for regular education children in grades K-12 (with emphasis on K-3 children) who are not identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.
- B. If a determination of significant disproportionality based on race or ethnicity is occurring in the LEA with respect to the identification of children as children with disabilities, the placement in particular educational settings of these children and/or the incidence, duration, and type of disciplinary actions, including suspensions and expulsions, the LEA must reserve the maximum 15% of IDEA funds for CEIS to serve at-risk regular education students, particularly, but not exclusively, in those groups significantly over identified.

#### **2. *Treatment of Charter Schools and Their Students (34 C.F.R. § 300.209)***

- A. Children with disabilities who attend public charter schools and their parents retain all their rights.
- B. LEAs must serve the children with disabilities in charter schools in the same manner as the LEA serves the other public schools, including supplementary and related services on site at the charter school to the same extent as the other public schools.
- C. LEAs must provide funds under the IDEA to those charter schools on the same basis as the LEA provides funds to the other public schools including proportional distribution based on relative enrollment of children with disabilities and at the same time as the LEA distributes other federal funds to the other public schools.

#### **3. *Children with Disabilities Enrolled by Their Parent in Private Schools - Expenditures (34 C.F.R. § 300.133)***

To meet the requirement of [34 C.F.R. § 300.132](#), each district must spend the following on providing special education and related services to parentally-placed private/home-school children with disabilities:

- For children aged 3-5 and 3-21, an amount that is the same proportion of the district's total subgrants under Section 619(g) and 611(f) of the Act as the number of private school children with disabilities aged 3-5 and 3-21 who are enrolled by their parent in private schools, including religious, elementary, and secondary schools located in the

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school district served by the district, is to the total number of children with disabilities in its jurisdiction aged 3-5 and 3-21.

### ***IDEA Fiscal Assurances and Carryover***

- IDEA 611 and 619 Part B approves budgets for up to 15 months between July 1 of one year, and September 30 of the following year. Funds may be encumbered for expenditures for any time in the 15 month period, once the budget is approved for the new grant period. Unspent funds may be carried over to the next fiscal year after the completion report is approved.
- Completion reports are due 30 days after the end of the grant period. The grant period ends September 30. Completion reports are due October 30.
- LEAs must seek budget prior approval to amend carryover funds into the current fiscal year budget and complete budget amendments when changes in any function codes exceed 25 percent. Amendments must be approved by the LEA's IDEA Education Program Specialist.
- LEAs must establish internal control policies and procedures to procure, record and maintain custody of equipment and real property purchased with IDEA funds. The policies and procedures must include how the LEA will account for and maintain control of equipment and real property used at private schools.
- LEAs must conduct and reconcile physical inventories of equipment purchased with IDEA funds at the central office, local schools, and private schools once every two years. The LEA must use, manage, and dispose of equipment acquired under IDEA in accordance with federal and state laws and procedures.

### **Carryover Funds:**

- After approving an LEA's application and budget for IDEA funds, the GaDOE awards a subgrant to the LEA/consortium to support the excess cost of educating children with disabilities during the 15-month period between July 1 and September 30 of the current fiscal year. Funds that are not obligated in the 15-month period but that remain available for obligation in the succeeding fiscal year are known as carryover funds.
- Upon the expiration of the initial 15-month grant period on September 30, subgrantees submit a completion report to Grants Accounting. Once the completion report is approved, but no sooner than October 1, subgrantees will receive 100% of unspent funds from the prior fiscal year. All IDEA funds are allocated to LEAs for a total 27-month period. In summary, IDEA funds have an initial 15-month period of availability for an original budget allocation, followed by an additional 12-month period of availability for carryover funds.



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### *Schoolwide Program Consolidation of IDEA Funds*

The IDEA provides a straightforward formula for LEAs and their schools that wish to consolidate a portion of their IDEA Part B funds in any fiscal year to carry out a schoolwide program.

First, the LEA determines the amount of funds it received under the IDEA section 611 and 619 programs. Secondly, the LEA must divide the total amount of its IDEA grants by the number of children with disabilities in the jurisdiction of the LEA. Finally, the LEA then multiplies this figure by the number of children with disabilities who will be participating in the schoolwide program.

The GaDOE Special Education Services and Supports Division has created a formula worksheet that must be completed, in order for the consolidation of IDEA funds to be approved. This form must also be submitted with the IDEA budget in the Consolidated Application. When calculating the number of students within the jurisdiction, the latest reported student count may be used at the LEA's discretion. This means that LEAs may use October or March FTE as long as the count used is clearly indicated. The count used must be consistent for the period of one year and may not be altered mid-year to reflect a different funding formula.

The IDEA places the following conditions on LEAs and schools that consolidate IDEA funds in a schoolwide program:

1. The IDEA funds must still be counted as Federal funds for IDEA's excess cost and supplement not supplant calculations.
2. Regardless of how the IDEA funds are expended, children with disabilities in a schoolwide program school must:
  - a. receive services in accordance with a properly developed individualized education program (IEP); and
  - b. be afforded all of the rights and services guaranteed to children with disabilities and their parents under the IDEA.

All schools choosing to consolidate IDEA funds will be monitored based on the intent and purpose of the funds, and student services based on IEPs.

### *High Cost Grant Applications*

#### **Federal Regulation**

The IDEA gives States an option to set aside funding for the creation of a "Risk Pool" designated to assist local school districts in meeting the high cost of providing special education services to children with disabilities meeting predetermined criteria.

The High Needs Risk Pool is established in 34 C.F.R. § 300.704(c) of the IDEA. The act allows the State to develop a State plan that establishes the following: a definition of a high needs child with a disability, the criteria for participation by school districts in the program, a plan to ensure that placements supported by the funds are consistent with requirements in 34 C.F.R. §

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300.114 – 300.118, the funding mechanism for the distribution of funds under this program and an annual distribution schedule in accordance the appropriation of other funds in that fiscal year.

The High Cost Grant is a reimbursement grant to assist LEAs with instructional costs of students who meet specific criteria of a High Needs Student.

The High Cost Grant Application Requirements and Submission Process can be found on the GaDOE Special Education Services and Supports website [here](#).

The funds will be made available to LEAs through the Grants Accounting Online Reporting System (GAORS) and Consolidated Application. Once the State Board of Education approves the grant, the system's Consolidated Application Coordinator will need to add the IDEA High Cost Fund so the LEA may begin the budget process. When the budget is completed, the Consolidated Application Coordinator will sign off and then it will be sent to the Superintendent for signing off. In the event that grant requests exceed the amount available, the grant awards will be prorated.

Grant Applications should be submitted online at [www.gahcf.org](http://www.gahcf.org)

### ***Residential and Reintegration Reimbursement Grant***

The Grant for Residential and Reintegration Services (GRRS) can assist an LEA with full/partial funding for a high cost placement of a child with disabilities to a private residential program or reintegration back from a residential program.

This grant is allocated to LEAs using state funding. Application information and specific criteria can be found on the GaDOE Special Education Services and Supports website [here](#).

This grant application must be downloaded and submitted to the Special Education Services and Supports Budget Unit. The applications may be mailed or emailed using the GaDOE portal system only.

### ***Calendar for Special Education Reports and Data***

- July
  - Submit Timelines Report
  - Budget Completion Reports Deadline for all State Grants
  - Annual Public Notification for Child Find/Record Destruction in media
  - CEIS Plan and Budget due
- August
  - Submit Discipline Report
  - Notification to attend Data Collection Workshop

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- September
  - Report preschool outcomes data on portal
  - Federal funds grant period ends
- October
  - FTE 1 begins
  - Budget Submission Deadlines for all budgets
  - Budget Completion Reports Deadline for Federal Grants
- November
  - Suggested district stakeholders meeting to review/revise targets/goals
- December
  - Check with Testing Coordinator about GAA 1% exceptions for March
  - Amend IDEA Budgets for CEIS Carryover and Proportionate Share Carryover
- January
  - Data verification of demographic data for April district profile release
  - High Cost Grant Application Opens
  - Residential and Reimbursement Grant Application Opens
  - GAA participation form with 1% exceptions for testing
  - Excess Cost Calculation Submission due
- February
  - Parent Mentor participation letter for next FY
  - Required district stakeholder meeting to review goals/targets for Consolidated Application/updates for next FY
  - Check QBE report for mid-term adjustment and estimated local budget
  - Prepare local estimated budgets for submission to include the three grants from DSESS
  - Postsecondary Transition survey begins
- March
  - Application for Grants for Residential and Reintegration Services (GRRS) due
  - Application for High Cost Grants due
  - All MOE Reconciliation due
  - FTE 3 begins
- April
  - Postsecondary Transition survey closes
  - CEIS end of the year report
  - Student record submittal
  - Begin Consolidated Application/update for initial submission
- May
  - Low Incidence Grant application if <60% of salary of teacher earned
  - Last month to do budget amendments for this FY
- June
  - Postsecondary Transition survey closes

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- CEIS end of the year report
- Student record submittal

### Useful Links

#### State Specific

- Georgia Department of Education – <http://www.gadoe.org/>
- Georgia State Board Rules - <http://www.gadoe.org/External-Affairs-and-Policy/State-Board-of-Education/Pages/PEABoardRules.aspx>
- Data Collections - <http://www.gadoe.org/technology-services/data-collections/Pages/Home.aspx>
- FTE Documentation, Preschool Environment Calculator, Ages 6-21 Environment Calculator - [http://www.gadoe.org/Technology-Services/Data-Collections/Pages/Full-Time-Equivalent-\(FTE\)-Resources.aspx](http://www.gadoe.org/Technology-Services/Data-Collections/Pages/Full-Time-Equivalent-(FTE)-Resources.aspx)
- Student Record Documentation - <http://www.gadoe.org/Technology-Services/Data-Collections/Pages/Student-Record.aspx>
- Enrollment Data - [http://app.doe.k12.ga.us/ows-bin/owa/fte\\_pack\\_ethnicsex.entry\\_form](http://app.doe.k12.ga.us/ows-bin/owa/fte_pack_ethnicsex.entry_form)
- Division for Special Education Services and Supports - <http://www.gadoe.org/curriculum-instruction-and-assessment/special-education-services/Pages/default.aspx>
- Special Education Annual Reports - <http://archives.gadoe.org/ReportingFW.aspx?PageReq=211&PID=61&PTID=67&CTID=216&StatelD=ALL&T=0&RID=105>
- Governor’s Office of Student Achievement Report Cards - <http://www.gaosa.org/reportinfo.aspx> and <http://www.gaosa.org/FindASchool.aspx?PageReq=106&StatelD=ALL&SY=2009>
- Graduation Rate Calendar - <http://www.gaosa.org/reportinfo.aspx#D9A>
- QBE Reports - [http://app3.doe.k12.ga.us/ows-bin/owa/qbe\\_reports.public\\_menu?p\\_fy=2000](http://app3.doe.k12.ga.us/ows-bin/owa/qbe_reports.public_menu?p_fy=2000)
- Georgia Alternate Assessment - <http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/GAA.aspx>
- Accommodations Manual (for Testing) - <http://archives.gadoe.org/DMGetDocument.aspx/Accommodation%20Manual%20August%202008.pdf?p=6CC6799F8C1371F6D1C69D60E4029F1085A5BB31C1B556F24ADBA65C89A3BD77&Type=D>
- Georgia Learning Resources System - <http://www.glr.org/>

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- Georgia School Boards Association - <http://www.gsba.com/>
- Georgia Professional Standards Commission - <http://www.gapsc.com/>
- Records Retention Schedules - [http://www.sos.States.ga.us/archives/who\\_are\\_we/rims/retention\\_schedules/retsched/default.htm](http://www.sos.States.ga.us/archives/who_are_we/rims/retention_schedules/retsched/default.htm)

### *Nation Specific*

- Southeast Regional Resource Center - <http://www.rrfcnetwork.org/serrc>
- State Ranks - [http://www.monitoringcenter.lsuhs.edu/Stateranks\\_B%20ReleasedFeb2007.htm](http://www.monitoringcenter.lsuhs.edu/Stateranks_B%20ReleasedFeb2007.htm)
- IDEA Data - <https://www.ideadata.org/index.html> and <http://idea.ed.gov/>
- National Center for Educational Statistics - <http://nces.ed.gov/>;  
<http://nces.ed.gov/help/sitemap.asp>; and <http://nces.ed.gov/datatools/>
- OSEP Sponsored - <http://www.ed.gov/parents/needs/speced/resources.html>;  
<http://www.osepideasthatwork.org/toolkit/index.asp> and  
<http://idea.ed.gov/explore/home>