IDEA Part B

LEA Subgrant Application Manual

NEW MEXICO

Public Education Department

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Purpose and Authority

Under Part B of the Individuals with Disabilities Education Act (IDEA), a local educational agency (LEA) is eligible for assistance for a fiscal year if the agency submits a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201 through 300.213 (see 34 CFR § 300.200). Additionally, 34 CFR § 76.301 of the Education Department General Administrative Regulations (EDGAR) establishes that an LEA that applies for a subgrant under a program shall have on file with the state a general application that meets the requirements of Section 442 of the General Education Provisions Act (GEPA). To meet these requirements, LEAs must submit to state agencies a general application containing assurances required for all programs under which federal aid is administered through a state agency. The New Mexico Public Education Department (NMPED) receives two federal grants each year under IDEA to provide special education and related services to children ages 3 through 21. After reserving an amount for state-level activities, NMPED uses the formula codified under IDEA to allocate the remaining funds as subgrants to LEAs. For additional information, see the NMPED LEA Allocation Manual.

NMPED LEA Subgrant Application

Subgrant Application Process Overview

LEAs are required to apply annually to the NMPED to receive IDEA Part B funding. LEAs submit their IDEA Part B application to the NMPED through SharePoint, an online software program.

- The application becomes available to LEAs between May and June through SharePoint.
- As part of the application submission process, LEAs are required to review and sign assurances to receive federal funding as well as submit other information required by the state that includes but is not limited to budgets, GEPA Section 427, fiscal data, LEA analysis and plans for graduation and drop-out, and other evidence of compliance with the Every Student Succeeds Act (ESSA) requirements.

Following receipt of the LEA IDEA Part B grant application, the NMPED reviews and approves the application and issues a grant award notification to the LEA as described in further detail below.

Online Application Maintenance Process

Annually, before the application becomes available for LEAs, the NMPED makes any necessary updates to the application due to any changes in the federal requirements or the state procedures. The NMPED Information Technology department, in collaboration with the Deputy Director of Data and Finance/Assistant Deputy of Data and Finance, is responsible for implementing the changes in SharePoint.

Section 427 of the General Education Provisions Act (GEPA)

According to Section 427 of the GEPA (20 U.S.C. 1228a), grantees of U.S. Department of Education funding must outline the actions they will take to meet the special needs of students, teachers, and other program participants to ensure equitable access to and participation in the federally funded program. Gender, race, national origin, color, disability, and age are among the types of barriers that can impede equitable access or participation according to the statute. LEAs must determine whether these or other barriers may prevent students, teachers, or other program beneficiaries from accessing or participating in the federally funded project or activity based on local circumstances.

LEAs must submit a GEPA Section 427 Form every year as part of the IDEA Part B Application. If there have not been any changes to the information in the GEPA statement from one year to the next, the LEA does not need to make any changes to the form; however, the form must still be submitted as part of the application packet.

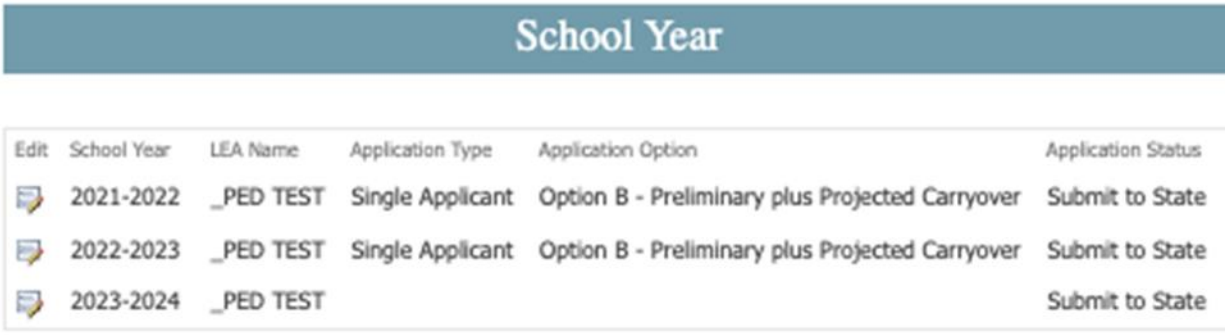
LEA IDEA Part B Funding Application Access

LEAs submit their IDEA Part B Application through the SharePoint software, which can be accessed online. To complete the online application, LEAs will follow the steps outlined below:

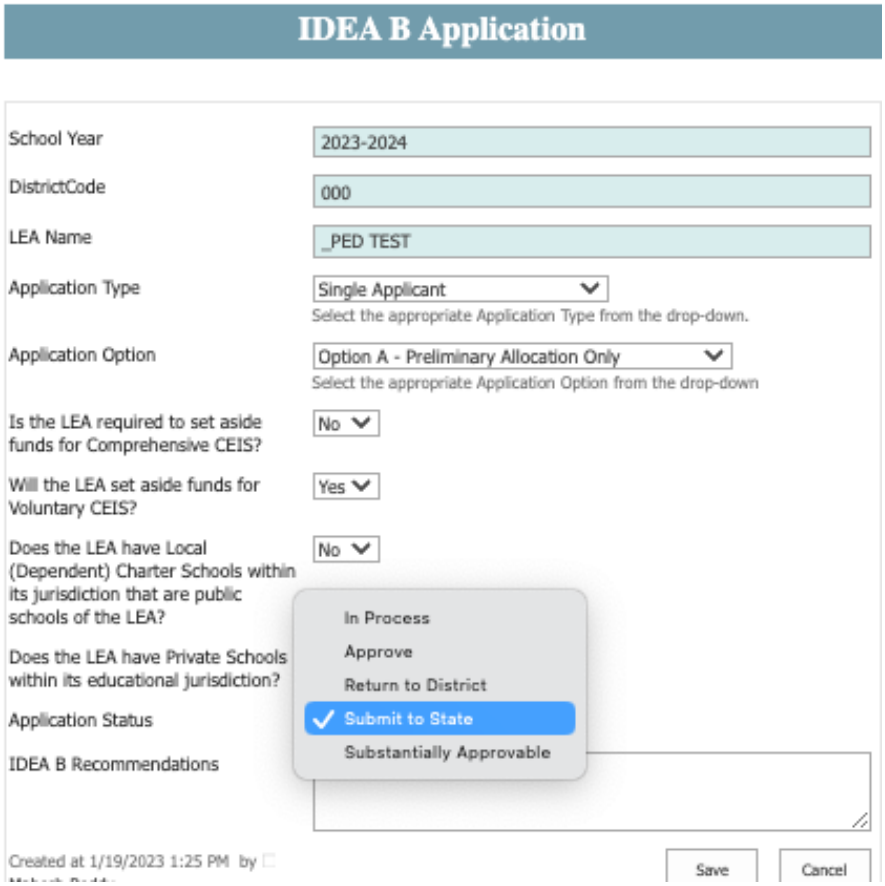
1. The LEA user goes to the following website: https://webed.ped.state.nm.us/sites/IDEAB/SitePages/Home.aspx.
2. A prompt will appear at the top of the page to log in to SharePoint using a username and password to access the system.
3. The LEA user will then be logged in to the IDEA B Application dashboard, which will list the user's LEA.

4. On the right-hand side of the dashboard, there are resources linked, including the Part B Application Checklist, which should be used while completing the application.

5. Clicking the paper/pencil image under "Edit" will take the user to a page where they will then locate the correct application year and click the "Edit" button again, which will take the LEA user to the Part B Application.



6. The IDEA Part B Application is then completed and submitted through the SharePoint system.
7. Once the application is complete and ready for submission, the LEA user will change the application status from “In Process” to “Submit to State” and click save.



LEA IDEA Part B Grant Funding Application Submission

The NMPED IDEA B Application Checklist (Appendix B) is used by LEAs and the NMPED staff to ensure all areas of the application are complete in the SharePoint system. The checklist is outlined in three phases, with each phase containing tasks for the LEA to complete through SharePoint. Once the completed application is submitted by the LEA, the same checklist is used for review by the NMPED staff reviewing the application. The checklist ensures that all of the supporting data has been prepared and attached, including information regarding the following:

- LEA analysis and plans
- LEA assurances
- excess cost

- GEPA form
- attachments uploaded to SharePoint
    - revised and/or new policies and procedures
    - board minutes evidencing adoption or revision of policies and procedures
- budgets for preschool—24109
- budgets for basic—24106
- coordinated early intervening services (CEIS)
    - comprehensive (mandatory) CEIS
    - voluntary CEIS
- dependent (local) charters
- private schools
- budget summary
- approvals
    - signatures
        - board of education president
        - superintendent/head administrator
        - special education director
        - business manager
        - parent representative
    - parent involvement
- board/governing body approval

LEA Subgrant Application Review and Approval

When an LEA submits the IDEA Part B Application, it goes through a process of review by the NMPED Office of Special Education fiscal team, which is also completed through the SharePoint system.

- Each LEA is assigned an NMPED staff member to review the application using an application review checklist (see Appendix A) to ensure costs are allowable and to check whether funds are being used adequately for student needs and staffing.
- The NMPED education administrators also review the assurances submitted through the application by the LEAs they are assigned.
- The NMPED fiscal team then reviews the application for compliance with LEA maintenance of effort and excess cost requirements and the LEA budget.
- Following the review by the fiscal team and the NMPED education administrator, the application goes through a final review by the NMPED Director of Special Education.

- Reviewers use the IDEA B Application Checklist (Appendix A) to ensure that all areas of the application have been reviewed by the appropriate staff members.
- Following the reviews, the reviewed application is sent back to the LEA for final board approval.
- Once the LEA has received school board approval, the NMPED collects the meeting agenda and minutes from the LEA through SharePoint to complete the process.

Grant Award Notification

Once preliminary allocations are determined by the NMPED, LEAs are notified through an email generated by the SharePoint system. LEAs that submit completed assurances receive a grant award notification once their application receives final approval. The NMPED initially notifies LEAs of part of their grant award amount, which is followed by the remaining amount of their award once final allocation amounts are determined. Due to this two-part system of allocating funds, LEAs receive two grant award notifications, one for the preliminary allocation and another once the remaining funds are awarded.

Distribution and Reimbursement of Funds

The Education Department General Administrative Regulations (EDGAR) under 34 CFR 76.708 establish that an LEA may not begin the obligation of funds until the later of the following two dates:

- the date the state may begin to obligate funds
- the date on which the LEA submits an application in "substantially approvable form" to the state education agency (SEA)

LEAs can be reimbursed for any expenditures incurred as of the date of the submission of LEA assurance to NMPED, which is the beginning of the LEA grant period of performance. However, the LEA cannot be reimbursed until the complete subgrant application and assurances have been approved as consistent with 34 CFR 76.708 (b).

IDEA B funds are reimbursed following EDGAR. LEAs submit a request for reimbursement (RFR) to the NMPED twice per month per fund code. The NMPED policy requires all RFRs to be processed within 30 days. RFRs, along with any supporting documentation, such as detailed expenditure reports, are submitted via the Operating Budget Management System (OBMS).

Budget Adjustment Requests

An LEA that needs to make a budget adjustment to their previously approved application must submit a budget adjustment request (BAR) form located in OMBS. If there are changes required within a function in the chart of accounts, it requires approval at the LEA level as well as the

completion of a BAR form. A budget adjustment that involves changes between functions is considered substantial and would also require program approval and approval from the NMPED Director of Special Education. Once the form is completed, it is submitted to the NMPED finance team for review and approval. Once approved, the LEA may access funds using the modified budget.

The Puente para los Niños Fund

The Puente para los Niños Fund Overview

IDEA 34 CFR §300.704(c) outlines that each state has the option to reserve 10 percent of the amount of funds the state reserves for other state-level activities to establish a high cost fund each fiscal year. The purpose of this fund is to address the needs of children with disabilities that are determined to have high needs. A *high needs child with a disability* is defined by the NMPED as follows:

- **With regard to a cost threshold**, the definition of a high need child with a disability is a student whose total cost to provide a free and appropriate public education (FAPE) is three times greater than the average per pupil cost. In New Mexico, the average per pupil cost was $11,351.00 in 2019–20, and the current pupil cost information can be found in the Puente para los Niños Fund guidelines.
- **In terms of the financial impact on the LEA budget**, the cost to provide FAPE to a high needs student with a disability must have a financial impact on the LEA's total budget. LEA applicants must disclose the percentage of IDEA Part B allocation funds that are expended to cover the cost of servicing high student needs.

The Puente para los Niños is the high cost fund established by the NMPED in alignment with 34 CFR §300.704(c). Annually, the NMPED may reserve 10% of the amount of funds that are set aside for other state-level activities to fund the Puente para los Niños. These funds are distributed to LEAs who apply and meet the requirements outlined by the NMPED. For the full NMPED Puente para los Niños guidelines, see Appendix B.

The Puente para los Niños Fund LEA Eligibility Criteria

For an LEA to be considered eligible to apply for funds through the Puente para los Niños Fund, the following conditions must be met:

- **documentation of required services and costs**—At a minimum, each LEA requesting assistance from the Puente para los Niños Fund must provide written documentation including the student's individual education program (IEP) and a detailed description of

the costs associated in providing direct special education and related services to the student.

- **number and percentage of high need students**—Each LEA must identify the number and percentage of high needs students with disabilities served by the LEA.
- **carryover deduction**—All LEA's carryover amounts will be determined as of the application deadline date. If an LEA' application for reimbursement is approved and an award is determined, the LEA's IDEA Part B carryover funds as of the application deadline date (if any) will be subtracted from the LEAs final Puente para los Niños award amount. LEAs should ensure that all outstanding Requests for Reimbursement (RfRs) from IDEA B funds are submitted prior to the deadline date to maximize any potential award amount. Federal funds are not eligible to be accrued as expenditures for the high cost fund.
- **local charters**—The NMAC Chapter 22, Article 1 22-1-2 (b) defines a charter school as a school authorized by a chartering authority to operate as a public school. Carryover amounts for local charters as defined above applying for an award will be based on a calculated percentage of applicable carryover proportionate to the local charter's percentage of the parent district's students with disabilities count (prior year-end count).

The Puente para los Niños Application

LEAs applying for Puente para los Niños funds must complete the Puente para los Niños Application and Checklist (see Appendix C). LEAs must also provide the following supporting documentation:

- **student data**—the number of students meeting the high needs definition above as well as the total special education student enrollment. This information should come directly from the most recent certified enrollment counts submitted to the NMPED.
- **financial impact**—a narrative describing how the cost of the students with high needs impacted the LEA's budget. LEA applicants must disclose the percentage of IDEA Part B allocation funds that are expended to cover the cost of servicing high needs students.
- **service history**—a description of the course of action taken to date by the LEA to serve students with high needs. Be sure to include the number and type of full-time equivalent staff (FTEs) affected for each such student.
- **expenditures**—the most recent detailed expenditure report showing budgeted and actual year-to-date expenditures for each student with high needs.
- **documentation**—copies of all contracts and invoices that pertain to the students with high needs.

- **identifier**s—the Prior Written Notice and the Schedule of Services pages from the high needs students' current IEPs, including the students' unique identifier numbers.

Additionally, the following assurances are required for an LEA to access funds:

- **evaluation**—The student(s) must have been evaluated in accordance with Subsection (C), (D) or (E) of 6.31.2.10 NMAC.
- **special education eligibility**—Any included students have been determined eligible for special education and/or related services in accordance with Subsections (F) of 6.31.2.10 NMAC.
- **current IEPs**—All designated high needs students have properly constituted and up-to-date IEPs in accordance with 6.31.2.11 NMAC.
- **placement**—The student placements were decided by the student's IEP team in accordance with 6.31.2.11 NMAC.
- **least restrictive environment**—The students' placements are in the least restrictive environment (LRE) in accordance with Subsection (C) of 6.31.2.11 NMAC.
- **local charter schools**—Parent districts of local charter schools applying for funds from the Puente para los Niños fund must agree to
    - submit a budget adjustment request that includes any funds awarded;
    - accept the awarded funds on behalf of the local charter school applying for the funds; and
    - distribute the funds to the local charter school for reimbursements for the costs associated with providing the direct special education and related services identified in the IEP for the student(s) with high needs.

For the Puente para los Niños Application and Checklist see Appendix C.

The Puente para los Niños Application Review and Approval

When an LEA submit its Puente para los Niños Application, it goes through a process of review and approval by the Puente para los Niños committee using a review checklist (Appendix C).

- The application, along with the supporting documentation listed above, must be received by the Office of Special Education at least two weeks prior to the scheduled Puente para los Niños Committee meeting.
- The committee may request additional documentation and/or information that is not required to be included in the initial application. Such requests will not preclude an application from further review and consideration for funding.
- LEAs will be notified of the acceptance or rejection within 60 days of the Puente para los Niños Committee meeting. The Puente para los Niños Committee may grant awards for

less than the amount requested. However, any students receiving funding must still meet the definition of high needs.

Receipt of Puente para los Niños fund awards in prior years does not guarantee future eligibility. In the event all of the reserved high cost funds are not fully expended by the beginning of the carryover period (October 1), the remaining funds will be allocated to all LEAs in the state following the IDEA Part B flowthrough formula (see 34 CFR 300.704 (c)).

For additional information regarding the Puente para los Niños Committee, see the NMPED Puente para los Niños Guidelines in Appendix B.

Timeline and Due Dates

Activity	Lead Staff	Date
IDEA Part B Application becomes available through SharePoint	Fiscal supervisor	June
LEAs Assurances signature and submission	LEA official	July 1
LEA application submission deadline	Fiscal supervisor	September 15
Deadline for the review and approval of the IDEA Part B LEA Application	Fiscal supervisor	September 30
Preliminary grant award notifications sent to LEAs	Fiscal supervisor	On or after July 1, once subgrant application is approved
Final grant award notifications sent to LEAs	Fiscal supervisor	On or after October 1
Puente para los Niños application submission deadline	Director of special education/ State Puente para los Niños committee manager	February
Deadline for the review and approval of the Puente para los Niños application	Deputy director and assistant deputy director of data and finance	Within 60 days of scheduled committee review meeting
Puente para los Niños award notifications are sent to LEAs	State Puente para los Niños committee manager	April
Final grant award notifications sent to LEAs	Fiscal supervisor	Ongoing, as awarded
Beginning of the IDEA Part B subgrants' period of performance	Fiscal supervisor	Upon submission of the LEA assurance on or after July 1

Activity	Lead Staff	Date
SharePoint budget adjustment request submissions	Fiscal supervisor	Ongoing, as needed

Note: Should there be unexpected circumstances requiring an adjustment to the time frames outlined above that would result in changes for LEAs, NMPED will notify LEAs within a reasonable amount of time to inform LEA administration of the changes to the time frame.

Appendices

Appendix A: IDEA B Application Checklist

2023-2024

IDEA B Application Checklist

Please utilize this checklist to ensure all areas of your SharePoint IDEA B Application have been thoroughly completed. All applicable sections of the application must be completed. The LEA must select the applicable response for each item under the LEA Completion "Select" column.

Enter LEA Name:

LEA Checklist IDEA B Application Sections	Select from drop downs	PED Staff Use Only Date Verified by PED Staff Only	Verified By PED Staff Only	PED Staff Notes
Phase 1				
LEA Analysis and Plans				
Number of Comprehensive Support and Intervention (CSI) Schools provided?	Select			
Number of Targeted Support and Improvement (TSI) Schools provided?	Select			
Description provided of IDEA B funds to be utilized to support students with disabilities with IEPs in schools wih CSI and TSI designations?	Select			
Areas of non-compliance included in application?	Select			
Brief description of LEA Plan to address areas of non-compliance provided?	Select			
Plans for improving graduation rates provided?	Select			
Plans for improving dropout rates provided?	Select			
Assurances				
LEA provides assurance that the eligibility requirements of the IDEA B Act and regulations are met? (A.1 **or** A.2)	Select			
LEA has in effect policies and procedures? (B.1a **or** date in B.1b)	Select			
LEA assures IDEA B funds will only be used as applicable by IDEA B and all other requirements? (B.2)	Select			
MOE expenditure amount provided? (B.3a)	Select			
MOE expenditure year provided? (B.3b)	Select			
Either Expenditures or Per Capita is selected (B.3c)	Select			
YES selected for MOE assurance? (B.3d)	Select			
YES selected for Federal assurances B.4, B.5 and B.6?	Select			
Response to B.7a **or** B.7b provided?	Select			
B.8a **or** B.8b Selected? ***If B.8b selected, is plan uploaded in SharePoint?***	Select			
YES selected for Federal assurances B.9,B.10,B.11 and B.12?	Select			
YES selected for Federal assurances C.13, C.14,C.15,C.16 and C.17?	Select			
YES selected for Federal assurances C.18?				
Tribes listed for assurance C.18? ***(If applicable)***	Select			
MOUs attached for assurance C.18?	Select			
YES selected for Federal assurances C.19 and C.20?	Select			
YES selected for the Build America, Buy America Act assurance? (C. 21)	Select			
YES selected for the General Education Provisions Act (GEPA) assurance? (C.22)	Select			
YES selected for Certifications D.1 and D.2?	Select			

Objective 8 Excess Cost				
Elementary and secondary costs calculated independently? (Are not the same.)	Select			
Objectives 1, 2 and 3 Budgets for Basic-24106				
Application type selected?	Select			
Application option selected?	Select			
Objective 1 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 2 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 3 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 3 amounts do not exceed Objectives 1 and 2?	Select			
Attachments				
LEA has uploaded revised and/or new Policies and Procedures to SharePoint?	Select			
LEA has uploaded Board Minutes evidencing the adoption or revision of Policies and Procedures to SharePoint?	Select			
If Board Meeting has not taken place, please provide date the Board Meeting is scheduled to approve policies and procuedures.	**Enter Date**			
Phase 2				
Objectives 1, 2 and 3 Budgets for Preschool-24109				
Application type selected?	Select			
Application option selected?	Select			
Objective 1 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 2 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 3 amounts provided?	Select			
Descriptions provided?	Select			
Items meet IDEA B eligibility requirements?	Select			
Objective 3 amounts do not exceed Objectives 1 and 2?	Select			
Objective 4 Coordinated Early Intervening Services (CEIS)				
Comprehensive (Mandatory) CEIS				
LEA required (Mandatory) to reserve funds?	Select			
If YES, are budget amounts entered?	Select			
Is budget amount 15% of total budget?	Select			
Is CEIS Plan both Program and Fiscal approved?	Select			
Voluntary CEIS				
LEA reserving funds voluntarily for CEIS?	Select			
If YES, are budget amounts entered?	Select			
Are funds equal to or less than the maxiumum amount allowable (15%)	Select			
Is CEIS Plan both Program and Fiscal approved?	Select			

Objective 6 Dependent (Local) Charters				
LEA has local charters in educational jurisdiction?	Select			
Local Charter 40 day SWD counts verified?	Select			
24106 Funds budgeted for all local charters?	Select			
Amounts provided for line items budgeting funds in?	Select			
Local Charter 40 day SWD counts verified?	Select			
24109 Funds budgeted for all local charters?	Select			
Amounts provided for line items budgeting funds in?	Select			
Objective 7 Private Schools				
LEA has private schools in educational jurisdiction?	Select			
Private school consultation form completed and uploaded with original signatures?	Select			
24106 Funds budgeted for all private schools?	Select			
Parentally-placed private school numbers provided?	Select			
Funds budgeted for all private schools?	Select			
Amounts provided for line items budgeting funds in?	Select			
24109 Funds budgeted for all private schools?	Select			
Parentally-placed private school numbers provided?	Select			
Funds budgeted for all private schools?	Select			
Amounts provided for line items budgeting funds in?	Select			
Budget Summary				
Is the balance for 24106 and 24109 zero (0)?	Select			
Do the amounts match the OBMS budgets?	Select			
Approvals				
Signatures				
Board of Education President signature/date?	Select			
Superintendent/Head Administrator signature/date?	Select			
Special Education Director signature/date?	Select			
Business Manager signature/date?	Select			
Parent Representative signature/date?	Select			
Parent Involvement				
Required parent information provided?	Select			
State Student Identification (ID) numbers for students whose parents participated in the development of the IDEA B application provided?	Select			
Phase 3				
Board/Governing Body Approval				
Board Meeting Agenda for approval of application uploaded to SharePoint?	Select			
Signed Board Meeting Minutes uploaded to SharePoint?	Select			
If Board Meeting has not taken place (pending) please provide date the Board Meeting is scheduled to approve IDEA B Application.	**Enter Date**			

NM Public Education Department

SPECIAL EDUCATION DIVISION

Puente para los Niños High-Cost Fund Guidelines

2023-2024

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I. STATE PLAN—LOCAL EDUCATION AGENCY

A. PURPOSE OF THE HIGH COST FUND

The purpose of the High Cost Fund is to assist Local Education Agencies (LEA) in addressing the needs of high need children with disabilities (excluding gifted-only). The New Mexico Public Education Department (PED) has elected to create a High Cost Fund called Puente para los Niños Fund pursuant to the provisions of 34 C.F.R. § 300.704(c) and 6.31.2.9(B)(5) NMAC.

To receive funds distributed from the Puente para los Niños Fund, an LEA must meet the following requirements: (1) the definition of a high need child with a disability (Section B); and (2) the eligibility criteria (Section C).

Disbursements from the fund may only be used for the costs of providing special education programming and related services directly to the student with high needs. These services must be identified in the student's Individualized Education Program (IEP). Funds cannot be used for services the LEA would like to provide but is not currently providing nor expenses such as legal fees, court costs, or other litigation costs. Educational and related services must be provided by individuals properly licensed by the PED and/or the New Mexico Department of Regulation and Licensing pursuant to 6.31.2.9(B)(10).

B. DEFINITION OF A HIGH NEEDS CHILD WITH A DISABILITY

1. **Cost Threshold**—The definition of a high need child with a disability is a student whose total cost to provide a Free and Appropriate Public Education (FAPE) is three times greater than the average per pupil cost or greater than $34,053.00. In New Mexico, the average per pupil cost was $11,351.00 in 2019-2020. FAPE is the legal standard by which LEAs are responsible for developing and implementing an IEP that is reasonably calculated to enable the student's educational progress in consideration of his or her disability-related learning needs.

2. **Financial Impact on LEA Budget**—The cost to provide FAPE to a high needs student with a disability must have a financial impact on the LEA's total budget. LEAs applicants must disclose the percentage of IDEA Part B allocation funds that are expended to cover the cost of servicing high student needs.

C. ELIGIBILITY CRITERIA FOR LEA PARTICIPATION

1. **Documentation of Required Services and Costs**—At a minimum, each LEA requesting assistance from the Puente para los Niños Fund must provide written

documentation including the student's IEP and a detailed description of the costs associated in providing direct special education and related services to the student.

2. **Number and Percentage of High Need Students**—Each LEA must identify the number and percentage of high needs students with disabilities served by the LEA.

3. **Carryover Deduction**—If an LEA's application for reimbursement is accepted and an award is determined, carryover funds (if any) that the LEA has not used prior to the application deadline date, will be subtracted from the LEAs final Puente para los Niños award amount. All LEA's carryover amounts will be determined as of the application deadline date noted below. It is beneficial for LEAs to ensure that all outstanding Requests for Reimbursement (RfRs) from IDEA B funds be submitted prior to the deadline date to maximize any potential award amount. Federal funds (which are the RfR's funds) are not eligible to be accrued as expenditures for the high cost fund.

4. **Local Charters**—Carryover amounts for local charters applying for an award will be based on a calculated percentage of applicable carryover proportionate to the local charter's percentage of the parent district's Students with Disabilities STARS count (prior year-end count).

D. LEA ASSURANCES

LEAs accessing the Puente para los Niños Fund must assure the following requirements have been met:

1. **Evaluation**—The student must have been evaluated in accordance with Subsection (C), (D) or (E) of 6.31.2.10 NMAC.

2. **Special Education Eligibility**—The student is determined eligible for special education and/or related services in accordance with Subsections (F) of 6.31.2.10 NMAC.

3. **Current IEP**—The student has a properly constituted and up-to-date IEP in accordance with 6.31.2.11 NMAC.

4. **Placement**—The student's placement was decided by the student's IEP team in accordance with 6.31.2.11 NMAC.

5. **Least Restrictive Environment**—The student's placement is in the Least Restrictive Environment (LRE) in accordance with Subsection (C) of 6.31.2.11 NMAC.

6. **Local Charter Schools**—Parent districts of local charter schools applying for funds from the Puente para los Niños fund must agree to:
    a. submit a Budget Adjustment Request which includes any funds awarded;
    b. accept the awarded funds on behalf of the local charter school applying for the funds; and
    c. distribute the funds to the local charter school for reimbursements for the costs associated with providing the direct special education and related services identified in the IEP for the student with high needs.

E. PUENTE PARA LOS NIÑOS FUND APPLICATION

LEAs applying for Puente para los Niños funds must complete the PED Application for Approval Form. LEAs must also provide the following supporting documentation:

1. **Student Data**—Number of students meeting the high needs definition in Section B (above) as well as the total special education student enrollment. This information should come directly from the most recent certified enrollment counts submitted to the PED.

2. **Financial Impact**—A narrative describing how the cost of the student with high needs impacted the LEA's budget. LEAs applicants must disclose the percentage of IDEA Part B allocation funds that are expended to cover the cost of servicing high student needs.

3. **Service History**—A description of the course of action taken to date by the LEA to serve students with high needs. Be sure to include the number and type of Full Time Equivalent staff (FTEs) affected for each such student.

4. **Expenditures**—The most recent detailed expenditure report showing budgeted and actual year-to- date expenditures for each student with high needs.

5. **Documentation**—Copies of all contracts and invoices that pertain to the student with high needs.

6. **Identifier**—The Prior Written Notice and the Schedule of Services pages from the student's current IEP including the student's unique identifier number.

The application along with the supporting documentation listed above must be received by the Special Education Division (SED) **at least two weeks prior to the scheduled Puente para los Niños Committee meeting**. *See* Section II for Puente para los Niños Committee

information. Only complete applications will be reviewed by the Puente para los Niños Committee. Incomplete or late applications will NOT be considered for funding. The Committee may request additional documentation and/or information that is not required to be included in the initial application. Such requests will not preclude an application from further review and consideration for funding. LEAs will be notified of the acceptance or rejection within 60 days of the Puente para los Niños Committee meeting. Funds will be distributed according to Subsection F (below).

The Puente para los Niños Committee may grant awards for less than the amount requested. However, the student must still meet the definition of High Needs Student to receive funding from the Puente para los Niños fund. Receipt of Puente para los Niños fund awards in prior years does not guarantee future eligibility.

All Puente para los Niños applications are subject to audit by either the SED staff and/or federal auditors. The auditors may review and verify the data submitted in the Puente para los Niños applications including assurances made by the LEAs. The auditors will consider whether the IEPs are properly developed and implemented. Additionally, the auditors may verify the percentage of high needs children with disabilities served by an LEA. The results of the auditor's review may be considered by the Puente para los Niños Committee in determining, adjusting, or recovering Puente para los Niños funds.

F. ANNUAL STATE EDUCATION AGENCY (SEA) DISTRIBUTION SCHEDULE

After the LEA or local charter school receives an award letter, the LEA may request reimbursement of these funds in accordance with the PED RfR schedule. If the committee, at its last meeting of the school year, decides that no further amounts will be granted from the Puente para los Niños fund, the SED will redistribute remaining funds to the LEAs.

G. REPORTING REQUIREMENTS

For auditing purposes, an end of the year report is required by each LEA awarded Puente para los Niños funds. Reports are due to the SED Business Operations Specialist by June 30th of the award year. Reports must include the following information:

1. Student's most current IEP, health plan, and transition plan for students fourteen years old or older;
2. Student's proof of continued enrollment in the LEA during the award year; and
3. Expenditure reports, invoices, and receipts.

Notification in writing must be made to the SED Data Manager, within fifteen days, if and when a student with high needs disenrolls from the LEA that received an award from the Puente para los Niños fund for that student. Final RfRs for students who have disenrolled from the LEA must be submitted in the Operating Budget Management System (OBMS)

within 30 days from the date of the student's disenrollment from the LEA.

H. ADDITIONAL RESTRICTIONS

1. Funds cannot be used to pay costs that otherwise would be reimbursed as medical assistance under Medicaid. 34 C.F.R. § 300.704(c)(8).

2. Funds from the Puente para los Niños fund shall not be used to pay for legal fees, court costs, or other costs associated with a cause of action brought on behalf of a child with a disability to ensure FAPE for such a child.

II. PUENTE PARA LOS NIÑOS COMMITTEE

The Puente para los Niños Committee recommends approval or disapproval of all Puente para los Niños applications at the committee meetings to the SED Director. The Committee may request additional documentation or information from the LEA which was not required to be included with the initial application. LEA applicants may attend the Puente para los Niños Committee meetings at times when the LEA's application is being considered by the committee. An LEA representative must sign a confidentiality agreement prior to the LEA attending a committee meeting and meeting minutes must reflect the LEA's participation. The Puente para los Niños Committee may request that a representative of the LEA be available in person or via teleconferencing to answer questions when the LEA's application is being considered. Due to the discussion of personally identifiable information of individual students and the confidential nature of the Puente para los Niños Committee meetings, the meetings will not be open to the public. In addition, Committee members will be required to sign a confidentiality agreement in accordance with the Family Educational Rights and Privacy Act.

A. PUENTE PARA LOS NIÑOS COMMITTEE MEMBERSHIP

1. The Puente para los Niños Committee shall consist of:
   a) SED Deputy Director or Designee;
   b) SED Fiscal Manager or Designee;
   c) PED Medicaid Representative or Designee; and
   d) Four LEA Special Education Directors, including at least one director from a rural district and one director from a charter school.

2. The SED Deputy Director or his/her designee shall serve as an ex-officio nonvoting committee member and act as State Puente para los Niños Committee Manager.

3. The committee members from LEAs will be appointed by the SED Deputy Director.

4. Members of the committee from the LEAs will be appointed based on their knowledge of special education programing/service delivery, funding, geographical representation, size of LEA, and other demographic considerations.

5. Other LEA Special Education Directors shall be appointed as alternate members of the committee. If a member is unable to attend a committee meeting, the Committee Manager shall request that an alternate member attend the meeting to create a quorum of the committee.

6. Membership appointments shall be made for a period of three years.

B. PUENTE PARA LOS NIÑOS COMMITTEE PROCEDURES

1. All committee members shall sign a confidentiality agreement.

2. All committee members shall sign in to each meeting.

3. The committee will review completed applications provided by the SED Deputy Director or his/her designee.

4. All applications received by the committee will be reviewed for completeness by the committee manager or designee. Applications must include all necessary forms, narratives, and attachments as described in Section (I)(E). If applications are not complete or on time, they will not be considered by the committee. The committee manager or designee may request information or documentation from the LEA to complete the LEAs application prior to the committee meeting.

5. The committee manager or designee will forward to the committee members copies of the completed applications in advance of each meeting.

6. The committee manager or designee will be responsible for providing each application to the committee for consideration.

7. Committee members shall review and discuss the application content for completeness, accuracy, and understanding of the reason(s) for the applicant's need for Puente para los Niños funds.

8. The committee may request that a submitting LEA provide clarifying information or documentation not required to be included in the initial application. If necessary, the committee may reconvene a meeting to discuss and vote to approve or deny an application requiring supplemental information or documentation.

9. A quorum of the committee consists of at least a majority of the total membership and must include one LEA special education director member or alternate.

10. Committee members will vote to recommend acceptance, partial acceptance, or denial of each application to the Division Director. Committee members may abstain from any vote.

11. A majority vote by the committee members voting will be sufficient to determine the committee action.

12. The committee manager or designee will ensure that notes are taken which summarize the questions and discussion related to each application. A decision summary for each application shall include the amount of the initial request, funding adjustments recommended by the committee, the amount of any award to be made, the reasons for the action taken by the committee and identify the award amounts related to the specific services.

13. All committee members shall sign the decision summary (electronic signatures are sufficient to meet this requirement).

14. The committee manager or designee, on behalf of the committee, will notify the applicant LEA and/or local charter school in writing of the determination of the committee. The LEA and/or local charter school will be provided a copy of the decision summary.

15. All applications received by the committee will be retained by the SED Deputy Director for use in the evaluation of Puente para los Niños funding.

C. PUENTE PARA LOS NIÑOS COMMITTEE ACTIONS

1. The committee must determine that:

   a) There are no unresolved audit issues related to applicant that are material in nature;

   b) There are no unresolved child count verification issues related to the applicant which are material in nature (i.e., unreliable data in annual determination); and

   c) All corrections to state enrollment reporting required for resolution of a) and b) of this subsection have been completed in a timely manner.

2. The amount of the approval may be equal to or less than the amount requested.

   a) Any carryover funds not expensed prior to the application deadline will be deducted from the final Puente para los Niños award as based upon the percentages listed in Section (I)(C) in the guidelines.

3. The approval of the application may be contingent on additional requirements imposed by the committee or the Division Director such as the development of an improvement plan to resolve a specific issue or concern.

4. The application awards are subject to adjustment and recovery.

D. PUENTE PARA LOS NIÑOS COMMITTEE DEADLINES AND MEETING DATES

Application Deadline	Puente para los Niños Committee Meeting	LEA Notification
January 31, 2024	February 12, 2024	March 15, 2024

NOTE: Completed applications must be received at the SED by 5:00 p.m. on the application deadline listed above. Applications must be sent electronically. Applications sent via regular mail or facsimile **will not** be accepted. Please contact the SED Business Operations Specialist at the email address or phone number below to arrange for electronic submission of the application and confidential student records.

Kaylock Sellers
SED Business Operations Specialist
Kaylock.Sellers@ped.nm.gov
(505) 479 0175

Tim Crum
SED Deputy Director
Tim.Crum@ped.nm.gov
(505) 470-8573

NM Public Education Department

SPECIAL EDUCATION DIVISION

2023-2024
Puente para los Niños
Application for Approval of Funding

Select the type of application below:

☐ New Application ☐ Amendment to Cost Revision

☐ Continuing Application

The following information must be provided to be considered for funding:

Student's Name _____

Student's Unique Identifying Number _____

Date of Birth _____

Primary Disability _____

Age (as of start of school year) _____ Gender _____

Student's Ethnicity/Race _____

Parent(s) or Guardian(s) _____

LEA, Local Charter School ,or State Supported Educational Program (SSEP) applying for funding

_____

Superintendent's or School Chief Administrator's Name _____

_____

Superintendent or School's Chief Administrator Signature

Date application approved _____

For PED Use only

Dependent chartered schools must receive LEA approval before submitting an application. By approving the local charter school's application, the LEA agrees to reimburse the local charter school for all PED approved expenditures for the student with funds awarded to the school but allocated to the LEA through the Puente para los Niños fund.

LEA Name _____

LEA Approval _____
Signature required

LEA phone number (including area code) _____

LEA email address _____

Contact information for person(s) filling out the application

Name _____

Title _____

Address _____

City _____ State _____ Zip _____

Phone number (including area code) _____

Email address _____

Date application completed _____

Is the child eligible for Medicaid? Yes ☐ No ☐ Unknown ☐

Does the child have medical insurance through a family member/guardian?

Yes ☐ No ☐ Unknown ☐

The private health insurance of a high need student cannot be utilized without written consent from the student's parent(s)/guardian(s) as provided in Subsection 6.31.2.9(B)(8) NMAC.

Number of student(s) that meet the high need definition in Section (B) of the Puente para los Niños Guidelines: _____

If an application is not being submitted for other students meeting the high need definition in Section (B) of the Puente para los Niños Guidelines, please explain why. Please use additional pages, if necessary.

Total number of special education student enrollment (excluding gifted only): _____

Last two total enrollment counts submitted to the Public Education Department (PED) including the current school year:
Last Count: _____ Prior to last count: _____

Describe how the cost of the student with high needs impacted the LEA's/SSEP's budget. Provide details of the fund(s) impacted. Please use additional pages, if necessary.

Please explain how the student with high needs impacted the services of the other student(s) entitled to special education and/or related services enrolled in the LEA/SSEP. Please use additional pages, if necessary.

Describe the course of action taken to date by the LEA, Local Charter School, or SSEP regarding the student with high needs. Be sure to include the total number of Full Time Equivalents (FTEs) and type of FTE affected for each such student. Please use additional pages, if necessary.

Other items to be submitted with this application must include:

1. **The most recent detailed expenditure reports showing budgeted and actual year-to-date expenditures;**
2. **Copies of all contracts and invoices that pertain to the student with high need; and**
3. **The student's current redacted Individual Educational Program (IEP) that includes the student's unique identifier number.**

2023-2024
Puente para los Niños
Checklist

_____ Complete an accurate application.

_____ Include a recent year-to-date expenditure report for IDEA fund 24106.

_____ Include copies of staff & related services contracts, which pertain to the student.

_____ Include copies of all invoices, which pertain to the student.

_____ Include current, complete, and accurate redacted IEP for the student.