



Wyoming Department of Education

Office of Special Education Programs

School Year 2023-2024

IDEA Part B Local Educational Agency Assurances

The Individuals with Disabilities Education Act (IDEA) of 2004 (Public Law [108-446](#)) is a federal education grant program. The local educational agency (LEA) will place the following assurances on file with the Wyoming Department of Education (WDE) as a part of the IDEA Part B funds application. The LEA provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in the IDEA statute and regulations and other federal and state laws and regulations governing the administration of federal grants. The LEA is able to meet all the assurances as stated below in this application.

IDEA Laws and Regulations General Assurances

34 C.F.R. § 300.101–300.108 Free appropriate public education (FAPE)

A free appropriate public education is available to all children with disabilities between the ages of 3 and 21, including children with disabilities who have been suspended or expelled, attending or eligible to attend schools within the LEA's jurisdiction.

34 C.F.R. § 300.111. Child-find

All children with disabilities attending or eligible to attend schools within the LEA's jurisdiction are identified, located, and evaluated. The LEA ensures that a practical method, consistent with state policies, is developed and implemented to determine which children with disabilities receive needed special education and related services in accordance with 20 U.S.C. § 1412(a)(3).

34 C.F.R. § 300.112 Individualized education programs (IEPs)

An individualized education program, or an individualized family service plan that meets IDEA requirements, is developed, reviewed, and revised for each child with a disability in accordance with 34 C.F.R. §§ 300.320 through 300.324, except as provided in §§ 300.300(b)(3) and 300.300(b)(4) (20 U.S.C. § 1412[a](4)).

34 C.F.R. §§ 300.114–300.120 Least Restrictive Environment (LRE) requirements

To the maximum extent appropriate, children with disabilities, enrolled at the LEA, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with the least restrictive environment (Public Law 108-446; 20 U.S.C. § 1412[a][5][A]–[B]).

34 C.F.R. § 300.121 Procedural safeguards

Children with disabilities and their parents are afforded the procedural safeguards required by 34 C.F.R. §§ 300.500 through 300.536 and in accordance with 20 U.S.C. § 1412(a)(6).

34 C.F.R. § 300.122 Evaluation

Children with disabilities are adequately evaluated in accordance with 34 C.F.R. §§ 300.300 through 300.311 (20 U.S.C. § 1412[a][7]).

34 C.F.R. § 300.123 Confidentiality of personally identifiable information

The LEA will comply with the requirement under 34 C.F.R. §§ 300.610 through 300.626 related to the confidentiality of records and information (20 U.S.C. § 1412[a][8]).

34 C.F.R. §§ 300.130 through 300.144 Equitable services for parentally placed private school students

To the extent consistent with the number and location of children with disabilities, the LEA will ensure the participation of children with disabilities (enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA) in the programs assisted or carried out under IDEA Part B grants.

34 C.F.R. § 300.154 Methods of ensuring services

The LEA shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 C.F.R. § 300.154 in order to ensure that all services that are needed to ensure FAPE are provided, including the provision of such services during the pendency of any dispute under § 300.154(a)(3).

34 C.F.R. § 300.156 Personnel qualifications

Consistent with state codes and policies, the LEA has established and maintains qualifications to ensure that personnel necessary to carry out IDEA activities are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

34 C.F.R. § 300.157 Performance goals and indicators

The LEA has established goals for the performance of children with disabilities in the state that meet the requirements found in 20 U.S.C. § 1412(a)(15)(A)–(C), as amended by the Every Student Succeeds Act (ESSA).

34 C.F.R. § 300.160 Participation in assessments

All children with disabilities are included in all general state and districtwide assessment programs, including assessments described under § 1111 of the Elementary and Secondary Education Act of 1965 (ESEA), with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. § 1412(a)(16)(A)–(E), as amended by the ESSA.

34 C.F.R. § 300.165 Public participation

Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the LEA ensures that there is stakeholder input and adequate notice of the input opportunities, including individuals with disabilities and parents of children with disabilities (20 U.S.C. §§ 1412(a)(19); 34 C.F.R. § 300.165; ESSA, Title I, Part A § 1116(a–d)).

34 C.F.R. § 300.172 Access to instructional materials

The LEA may adopt the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. § 1412(a)(23)(A) and (D).

34 C.F.R. § 300.173 Overidentification and disproportionality

The LEA has in effect, consistent with the purposes of the IDEA and with § 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 C.F.R. § 300.8 (20 U.S.C. § 1412(a)(24)).

34 C.F.R. § 300.174 Prohibition on mandatory medication

The LEA shall prohibit personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. § 812(c)) as a condition of attending school, receiving an evaluation under 34 C.F.R. §§ 300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. § 1412(a)(25)(A)–(B).

34 C.F.R. §§ 300.640–300.645 Annual report of children served—report requirement

The LEA shall provide data/reports to the WDE on any information that may be required by the U.S. Department of Education Secretary, maintain records, and afford WDE with access to the records deemed necessary to carry out its duties (20 U.S.C. § 1418[a][3]).

IDEA Part B Subgrants Eligibility Assurances

34 C.F.R. § 300.200 Condition of assistance.

The LEA meets each of the eligibility requirements for IDEA Part B subgrants outlined in 34 C.F.R. §§ 300.201 through 300.213.

34 C.F.R. § 300.201 Consistency with state policies

The LEA, in providing for the education of children with disabilities within its jurisdiction, has policies, procedures, and programs that are consistent with the state policies and procedures established under §§ 300.101 through 300.163 and §§ 300.165 through 300.174.

34 C.F.R. § 300.202 Use of amounts

The LEA will expend funds provided under this grant in accordance with applicable provisions of the IDEA Part B only to pay the excess costs of providing special education and related services to children with disabilities. IDEA Part B funds will be used to supplement other federal funds and not to supplant those funds (34 C.F.R. § 300.202). In accordance with 34 C.F.R. § 300.208, this requirement of Part B will not be violated if the LEA utilizes Part B funds to

- a. allow one or more nondisabled child(ren) to benefit from special education and related services and supplementary aids and services, for the costs of providing such services in a regular class or other education-related setting to a child with a disability in accordance with the IEP of the child; and/or
- b. develop and implement a fully integrated and coordinated services system in accordance with 34 C.F.R. § 300.208.

The LEA assures that the funds made available under IDEA Part § 619 will be used only for providing services to 3-, 4-, and 5-year-old children with disabilities.

34 C.F.R. § 300.16 Excess cost calculation

The LEA will calculate the minimum average amount to be spent for the education of each of its elementary and secondary students with disabilities under § 602(3) of the Act before it may use funds under Part B of the Act.

34 C.F.R. § 300.203 Maintenance of effort

Except as provided in 34 C.F.R. §§ 300.204 and 300.205, the LEA will not use IDEA Part B funds to reduce the level of expenditures for the education of children with disabilities made by the grantee from local funds below the level of those expenditures for the preceding fiscal year.

34 C.F.R. § 300.206 Schoolwide programs under Title I of the ESEA

If the LEA uses grant funds to carry out a schoolwide program under § 1114 of the ESEA, the amount used will not exceed the amount received divided by the number of children with disabilities within the school and multiplied by the number of children with disabilities participating in the schoolwide program. The LEA will consider the funds as federal IDEA Part B funds for the calculations required for the excess cost requirement at 34 C.F.R. § 300.202(a)(2) and (a)(3).

34 C.F.R. § 300.207 Personnel development

The LEA must ensure that all personnel necessary to carry out Part B of the Act are appropriately and adequately prepared, subject to the requirements of 34 CFR § 300.156 (related to personnel qualifications) and § 2102(b) of the ESEA.

34 C.F.R. § 300.208 Permissive use of funds

2 C.F.R. §§ 200.318–200.326 Contracts and procurement

The LEA will use its own procurement procedures that reflect applicable state and local laws and regulations, provided the procurements conform to applicable federal law and the standards of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

34 C.F.R. § 76.702 Fiscal control and fund accounting procedures

The LEA uses fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for federal funds. Funds will be used to supplement other federal funds and not supplant such funds.

2 C.F.R. § 200.430 Time and effort reporting

The LEA retains records that accurately reflect the work performed and is supported by a system of internal control that provides reasonable assurance that the charges are accurate, allowable, and properly allocated. For costs to be allowable, compensation for personal services must adhere to the Standards for Documentation of Personnel Expenses as identified in 2 C.F.R. § 200.430(i)(1).

2 C.F.R. § 200.501 Single Audit

The LEA will comply with Single Audit Act requirements if it expends in total (from all sources) \$750,000 or more in federal funds during a fiscal year (July 1–June 30). A copy of the audit is to be submitted to the WDE.

2 C.F.R. § 200.332 Subrecipient monitoring

The LEA will cooperate with the WDE to discharge its LEA's subrecipient monitoring responsibilities to ensure IDEA Part B awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements, and performance goals are achieved.

2 C.F.R. § 200.302 Reporting

The LEA ensures all required financial and program data will be reported to the WDE timely on a schedule established by the WDE. Financial claims will be submitted regularly on a schedule established by the WDE and within 30 days of the end of the reporting period. Final financial claims will be submitted within 90 days of the end of the project year.

2 C.F.R. § 200.334 Record retention

The LEA will comply with the Record Retention and Access requirements. The LEA ensures that records relating to the grant are maintained for a period of at least three years after the end of the project year, consistent with the LEA's record retention policy. If any litigation, claim, negotiation, audit, or other action involving the records starts before the end of the period, the records will be retained until completion of the action and resolution of all issues.

Civil Rights Assurances

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Civil Rights Assurances

The LEA will adhere to the provisions of Title VI of the Civil Rights Act of 1964, as amended (45 U.S.C. §§ 2000d et seq.) and its implementing regulations (34 C.F.R. Part 100), prohibiting discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

The LEA will adhere to the provisions under § 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), prohibiting discrimination on the basis of disability in programs and activities receiving federal financial assistance.

The LEA will adhere to the provisions under Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681 et seq.) prohibiting discrimination on the basis of sex in education programs and activities receiving federal financial assistance.



By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims, or otherwise (18 U.S.C. § 1001 and 31 U.S.C. §§ 3729–3730 and 3801–3812).



I further certify that an authorized designee of the LEA has read the IDEA Part B assurances in 34 C.F.R. §§ 300.201 through 300.213 and the LEA will operate the IDEA Part B program in accordance with program requirements. I have been authorized by the LEA to certify these assurances and to apply for funds under IDEA Part B on its behalf.



Wyoming Department of Education

Office of Special Education Programs

School Year 2023-2024

IDEA Part B Local Education Agency (LEA) Assurances

These assurances were reviewed and formally adopted by the LEA Board and recorded in the minutes of this LEA Board meeting held on _____.

Printed/Typed Name and Title of School Board/Designee, Date:

Printed/Typed Name and Title of Authorized School Administrator/Designee of the School, Date:

Dennis Holmes 06/15/2023
Dennis Holmes, Associate Superintendent for Instructional Support Date

Printed/Typed Name and Title of the LEA Superintendent or Designee, Date:
