




PHIL BREDESEN
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION
7TH FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0380

TIMOTHY K. WEBB, Ed.D.
COMMISSIONER

Memorandum

To: Director of Wayne County Schools

From:  Joseph Fisher, Assistant Commissioner

Subject: Conditional Approval of 2009-10 Comprehensive Application

Date: September 9, 2009

This is to advise you that your school system's 10-01 Comprehensive Application for providing Special Education Services under Tennessee Code Annotated, Section 49-10-302, for IDEA, Part B and Preschool Grant is **conditionally** approved.

*Your school system elected to reduce its maintenance of effort in FY '10 as allowed under IDEA law. However, after applying the applicable reduction, the LEA is **underbudgeted** in the amount of GP Special Education funds that **must** be spent. The LEA is advised that in accordance with the data given on pages 5A and 16, the system must expend a minimum of \$ 1,142,663.80 to be in compliance. Therefore, an amendment to the GP special education budget must be submitted prior to full approval of your comprehensive application. Please contact your management consultant for assistance if needed. In addition, the LEA is reminded that the expenditure of any "freed up" general purpose funds (page 5A1) must take place in SY '10.*

The 10-01 project expenditures and activities are approved beginning July 1, 2009 and ending September 30, 2010. Federal funds may be expended in accordance with the 10-01 budget and is approved as follows:

| | | | |
|---------------------|---------------|-------------------------|--------------|
| 10-01 IDEA – Part B | \$ 575,838.84 | 10-01 – Preschool Grant | \$ 15,717.33 |
| CFDA # 84.027A | | CFDA # 84.173A | |

When a substantive change is made in the implementation of the 10-01 project, an amendment subject to review and approval must be submitted. Budget amendments or program addenda are required in any case when the Application is not fully implemented as approved. This includes any changes in policies, procedures, personnel, or use of funds. The appropriate pages of the budget must be amended when there are shifts of more than 10% in any approved account series, when new line items are added, when there is any change in equipment and any changes in personnel. When submitting an amendment, please reference the specific project and amendment number. If you have additional questions, please contact your District Management Consultant.

We appreciate the efforts you are making to provide appropriate services to children with disabilities.

jf/bt

Enclosure

cc: Kathi Rowe, Director Program Management Services
Special Education Supervisor (s)
Division of Fiscal Services
Sandra Albright, Management Consultant
Nan McKerley, Director Administrative Services




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LEA

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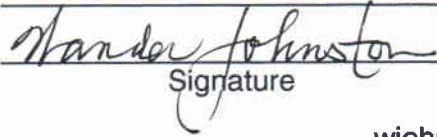

TIMOTHY K. WEBB, Ed.D.
COMMISSIONER

**LEA COMPREHENSIVE APPLICATION FOR
SPECIAL EDUCATION SERVICES**

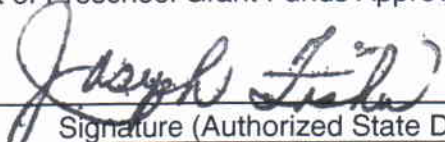
Tennessee Code Annotated §49-10-302
Public Law 94-142, as amended
Public Law 105-17, as amended
Public Law 108-446

RECEIVED
JUL 1 - 2009
NC - KRC
MANAGEMENT SERVICES

TO BE COMPLETED BY LOCAL SCHOOL SYSTEM

| | | | |
|--|--|---|--------------|
| Compliance Assurance and Statistical Information | | July 1, 2009 – September 30, 2010 | |
| School System: | Wayne County Schools | | |
| Director of Schools: | Wanda Johnston | | |
| |  Signature |  Date | |
| E-Mail Address: | wjohnston@k12tn.net | | |
| Name of Program Contact Person: | Kristy Prince | | |
| E-Mail Address: | princek1@k12tn.net | | |
| Address: | 407 South Main Street/ P.O. Box 658 Waynesboro, Tennessee 38485 | Telephone No.: | 931-722-3548 |

TO BE COMPLETED BY THE STATE DEPARTMENT OF EDUCATION

| | | | |
|--|---------------|--|----------------|
| Amount of IDEA, Part B Funds Approved: | \$ 575,838.84 | Permissive Use of Funds Requested for: | |
| Amount of Preschool Grant Funds Approved: | \$ 15,717.33 | | (A) B C |
|  Signature (Authorized State Department of Education Official) | | | 9-9-09 Date |

Must be submitted to your Management Consultant before July 1, 2009.

TCA 49-10-302
Section 612 (a) (11)

COMPLIANCE ASSURANCES FOR USE OF IDEA FUNDS

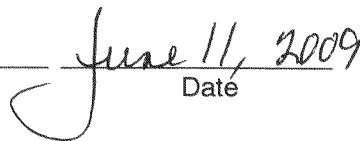
The applicant hereby certifies to the Commissioner of Education that the representation made in this application properly reflects the projected pupils, personnel, and expenditures to be incurred in the operation of the special education program for pupils with disabilities conducted within the school system, that the expenditures for services and goods will be made exclusively for the benefit of pupils which meet the eligibility criteria established by the Department of Education, and that personnel assignments and other documentation of expenses will be readily available for audit. All records necessary to ensure the correctness of the information provided by the agency will be kept five years beyond the final reporting date and access to such records will be provided to the State Department of Education.

The Local Education Agency (LEA) hereby assures the State Education Agency (SEA) that the LEA meets each of the following conditions:

1. Special Education and Related Services will be provided in compliance with the established Tennessee Rules, Regulations & Minimum Standards.
2. The LEA, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under §612.
 - a. A free appropriate public education (FAPE) is available to all children with disabilities, as defined under §602(3) and who have a current individual education program (IEP), residing in the State between the ages of 3 through 21, inclusive, including children with disabilities who have been suspended or expelled from school. 612(a)(1)
 - b. The LEA has established a goal of providing full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. 612(a)(2)
 - c. All children with disabilities residing in the LEA, including children with disabilities who are homeless children, or are wards of the State, and children with disabilities attending private schools within the LEAs jurisdiction, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. 612(a)(3)
 - d. An individualized education program (IEP), or an individualized family service plan (IFSP), that meets the requirements of section 636(d), is developed, reviewed and revised for each child with a disability in accordance with section 614(d). 612(a)(4)
 - e. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. 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. 612(a)(5)(A)
 - f. Children with disabilities and their parents are afforded the procedural safeguards required by §615. 612(a)(6)
 - g. Children with disabilities are evaluated in accordance with subsections (a) through (c) of § 614. 612(a)(7)
 - h. LEAs will comply with §617(c) relating to the confidentiality of records and information. 612(a)(8)
 - i. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs will experience a smooth and effective transition consistent with §637(a)(9). LEAs will participate in transition planning conferences arranged by the Lead Agency under §635(a)(10) and an IEP or, if consistent with sections 614(d)(2)(B) and 636(d), and IFSP will be developed and implemented by the third birthday. 612(a)(9)
 - j. Ensure that all requirements under §612(a)(10) regarding Children In Private Schools are being carried out in a manner consistent with the statute.
 - k. Ensure that all requirements under T.C.A. §49-10-107, T.C.A. §49-10-305 and T.C.A. §49-10-701, regarding Contracts for Special Education Services are being carried out in a manner consistent with the statute.
 - l. The LEA shall ensure that all personnel necessary to carry out this part are appropriately and adequately prepared, subject to the requirements of § 612(a)(14) and § 2122 of the Elementary and Secondary Education Act of 1965. 613(a)(3)

- m. This LEA will either choose to coordinate with the National Instructional Materials Access Center when purchasing print instructional materials in accordance with section 612(a)(23) or will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. 613(a)(6)
3. The LEA shall provide the SEA with information necessary to enable the SEA to carry out its duties under this part, including, with respect to Sections 612(a)(15) and 612 (a)(16), information relating to the performance of children with disabilities participating in programs carried out under this part. 613(a)(7)
 4. The LEA shall make available to parents of children with disabilities and to the general public all documents relating to the eligibility of such agency under this part. 613(a)(8)
 5. The LEA shall cooperate under section 1308 of the Elementary and Secondary Education Act of 1965 to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding such children. 613(a)(9)
 6. Subject to section 613(b)(3), the LEA application submitted to the SDE shall remain in effect until the LEA submits to the SDE such modifications as the LEA determines necessary. 613(b)(2)
 7. Ensure that all requirements under §613(a)(5) regarding treatment of Charter Schools and their students are being carried out in a manner consistent with the statute.
 8. Children with disabilities served with IDEA funds shall be counted in the same manner as children without disabilities to supplement the academic program funds earned and paid from the Basic Education Program. TRR&MS 0520-1-9-.03 (3)(a)
 9. Funds provided under IDEA will be used to pay the excess cost of providing special education and related services to children with disabilities; shall be used to supplement the State, Local and other Federal funds and not to supplant such funds; and shall not be used, except as provided in §613(a)(2)(B)-(C) to reduce the level of expenditures. §613(a)(2)(A) and §612(a)(17), TRR&MS 0520-1-9-03(2)(k)(4)
 10. According to Rule 0520-1-9-14(6)(a), procedures for providing an independent education evaluation (IEE) upon parental request have been submitted and approved to the Department of Education. Any future revision to the IEE procedure will be submitted to the Department for approval.
 11. According to TCA 9-1-104 (a) & (b) *Maximum class size*, our LEA case load and class size standards have been submitted and approved by the Department. There have been no changes since the original submission. (The State will review LEA caseload and class size standards for compliance.) Any future LEA updates or revisions will be submitted to the Division of Special Education for approval and for reference purposes.
 12. Children with disabilities served with IDEA funds have at least the same average amount spent on them, from sources other than Part B, as do the children in the school system taken as a whole. TRR&MS 0520-1-9-.03 (3)(a)(b)


Signature of Director of Schools


Date

**A. Children With Disabilities To Receive
Free Appropriate Public Education Services from the School System
2008-2009**

| DISABILITY | (1) Within School System | | (2) Contractual Agreement | | (3) Total to Receive FAPE | | (4) # Receiving Special Transportation | | (5) # Private School Students Placed by LEA Receiving Services | | Placed by Parents | | | |
|--------------------------------|--------------------------|------|---------------------------|------|---------------------------|------|--|------|--|------|--|------|---|------|
| | 3-5 | 6-21 | 3-5 | 6-21 | 3-5 | 6-21 | 3-5 | 6-21 | 3-5 | 6-21 | (6a) # Private School Students Placed by Parents within system | | (6b) # Of Private School Students (6a) Served by LEA This School Year | |
| | | | | | | | | | | | 3-5 | 6-21 | 3-5 | 6-21 |
| Autism | 1 | 9 | | | 1 | 9 | | 5 | | | | | | |
| Blind | | | | | 0 | 0 | | | | | | | | |
| Deaf-Blindness | | | | | 0 | 0 | | | | | | | | |
| Deafness | | | | | 0 | 0 | | | | | | | | |
| Developmental Delay | 1 | 9 | | | 1 | 9 | | 1 | | | | | | |
| Emotional Disturbance | | 4 | | | 0 | 4 | | | | | | | | |
| Hearing Impairments | | 1 | | | 0 | 1 | | | | | | | | |
| Intellectually Gifted | | 59 | | | 0 | 59 | | | | | | | | |
| Language Impairments | 10 | 12 | | | 10 | 12 | | | | | | | | |
| Mental Retardation | | 22 | | | 0 | 22 | | 6 | | | | | | |
| Multiple Disabilities | 1 | 5 | | 1 | 1 | 6 | | 1 | | | | | | |
| Orthopedic Impairments | 1 | 2 | | | 1 | 2 | | 1 | | | | | | |
| Other - Functional Delay | | 1 | | | 0 | 1 | | 1 | | | | | | |
| Other - Health Impairments | | 22 | | | 0 | 22 | | 1 | | | | | | |
| Specific Learning Disabilities | | 261 | | | 0 | 261 | | 1 | | | | 2 | | 2 |
| Speech Impairment | 12 | 61 | | | 12 | 61 | | | | | | | | |
| Traumatic Brain Injury | | 1 | | | 0 | 1 | | | | | | | | |
| Visual Impairments | | | | | 0 | 0 | | | | | | | | |
| TOTAL | 26 | 469 | 0 | 1 | 26 | 470 | 0 | 17 | 0 | 0 | 0 | 2 | 0 | 2 |

Grand Total 496

3

LEA: Wayne County Schools

B.1 OPTIONS TO BE PROVIDED AGES 3 – 5*

| OPTION 1 | OPTION 2 | OPTION 3 | OPTION 4 | OPTION 5 | OPTION 6** | OPTION 7 | OPTION 8** | OPTION 9 | OPTION 10 | TOTAL |
|----------|----------|----------|----------|----------|------------|----------|------------|----------|-----------|-------|
| 0 | 30 | 2 | 0 | 0 | 0 | 22 | 0 | 0 | 1 | 55 |

B.2 OPTIONS TO BE PROVIDED AGES 6 -21*

| OPTION 1 | OPTION 2 | OPTION 3 | OPTION 4 | OPTION 5 | OPTION 6** | OPTION 7 | OPTION 8** | OPTION 9 | OPTION 10 | TOTAL |
|----------|----------|----------|----------|----------|------------|----------|------------|----------|-----------|-------|
| 72 | 134 | 138 | 51 | 37 | 3 | 1 | 4 | 0 | 2 | 442 |

* This is a **duplicated count** and should reflect both primary and one secondary option of service.

** For each option 6 student there is at least ½ FTE of an education assistant or interpreter position budgeted in general purpose funds.

***Since Option 8 includes 2 related services, students reported in Option 8 should not be reported in another Option.

Do not place 0's in columns with no students.

TRR & MS 0520-1-9-.03 (1)(k)

C. FINANCIAL INFORMATION

1. PERMISSIVE USE OF FUNDS

AFTER reading the requirements on the corresponding form, please answer **yes** or **no** to each of the following items (A, B, and C). Any **yes** response requires completion of a corresponding form that follows. If **no** is answered on all three items, continue completing the application and disregard the attached forms for these permissive programs.

Yes **No** **A. Adjustment to Local Effort in Certain Fiscal Years.** IDEA 04 allows a LEA to reduce state and local maintenance of effort by up to 50% of the increase in IDEA funds from the previous year if those funds are used to provide activities authorized under ESEA. If the LEA wishes to reduce MOE, it must use the attached form to calculate the maximum amount available for this purpose (Page 5A) and indicate how these funds will be used (Page 5A(1)).

There are limitations to this adjustment. If the LEA is also electing to take funds under Coordinated Early Intervening Services, this reduces the amount of funds available for the reduction of MOE. Also, any LEA identified as not meeting requirements in the State's APR, is prohibited by law from reducing its maintenance of effort figures.

Yes **No** **B. Permissive Use of IDEA funds for Schoolwide Program.** IDEA allows a LEA to use funds to carry out a schoolwide program under Section 1114 of ESEA. If an applicant utilizes these funds, you will report the designated amount for each school and ensure that excess cost and service requirements are met. *(Use form on Page 5B)*

Yes **No** **C. Permissive Use of IDEA funds for Coordinated Early Intervening Services.** IDEA allows a LEA to use up to 15% of funds, in combination with other amounts (other than education funds), to develop and implement Coordinated Early Intervening Services, which may include interagency financing structures, for students in kindergarten through grade 12 (with particular emphasis on students in kindergarten through grade 3) who have **not been identified** as needing special education or related services but who need additional academic and behavioral **support to succeed in a general education environment.** *(Use form on Page 5C)*

NOTE: If an LEA is determined to have significant disproportionality based on race and ethnicity utilizing state criteria, the LEA must utilize Coordinated Early Intervening Services (Section 618 (d)(2)(B)). The amount expended by an LEA under Coordinated Early Intervening Services shall count toward the maximum amount of expenditures such LEAs may reduce in Item "A" *Adjustment to Local Effort* (above).

If an applicant utilizes these funds, you must show the calculations on the corresponding form.

Complete this form if Item A, Page 5 is marked "yes".

LEA: Wayne County Schools

A. Use of IDEA Funds as Local Funds

For any fiscal year for which the federal allocation received by a LEA under Section 611(f) *Subgrants to LEAs* exceeds the amount the LEA received for the previous FY, the LEA may reduce the level of expenditures otherwise required by Section 613(a)(2)(A)(iii) by not more than 50% of the excess. Section 613(a)(2)(C)(i) 300.205

If the LEA chooses to use these funds, the LEA shall use an amount of local funds equal to the reduction in expenditures under clause (i) above, to carry out activities authorized under the Elementary and Secondary Act of 1965. Section 613(a)(2)(C)(ii) 300.205(a)

If the SEA determines that the LEA is unable to establish and maintain programs of free appropriate public education that meet the requirements of Section 613(a) or the SEA has taken action against the LEA under section 616 *Monitoring, Technical Assistance and Enforcement*, the SEA shall prohibit the LEA from reducing the level of expenditures under clause (i) above for that fiscal year. Section 613(a)(2)(C)(iii)

The amount of funds expended by a LEA under subsection (f) *Coordinated Early Intervening Services*, shall count toward the maximum amount of expenditures such LEAs may reduce under clause (i) above. Section 613(a)(2)(C)(iv)

If a SEA determines that an **LEA is not meeting the requirements of Part B, including the targets in the state's performance plan, the SEA shall prohibit the LEA from reducing its MOE under Section 613(a)(2)(C) for any fiscal year.** Section 616(f)

| | | | |
|--|--|----|-----------------------------|
| 1. | Estimated/final IDEA allocation for this year: | \$ | <u>1,137,730.12</u> |
| 2. | Actual IDEA final allocation for last year: | \$ | <u>555,875</u> |
| 3. | Difference (line 1 – line 2) if >0: | \$ | <u>581,855.12</u> |
| 4. | Line 3 X 50% | \$ | <u>290,927.56</u> |
| | | | X50 |
| 5. | Maximum available for use as local funds: | \$ | <u>290,927.56</u> |
| 6. | Amount used if less than line 5: | \$ | <u> </u> |
| <i>If the LEA is also requesting to use funds for Coordinated Early Intervening Services, include calculation below:</i> | | | |
| 7. | Amount given in line 6: | \$ | <u> </u> |
| 8. | Subtract amount to be spent on page 5C: | \$ | <u> </u> |
| 9. | Amount available for Item "A" to use as local funds: | \$ | <u> </u> |
| <p>* If the Early Intervening amount is more than the amount in line 5 or 6 on this form, Early Intervening will cancel out the local funds reduction. If Early Intervening amount is less, the difference may be taken under Form "A"</p> | | | |

C. FINANCIAL INFORMATION

**2. Estimated Expenditures
Education for Students with Disabilities**

| ACCOUNT NO 71200 | EXPENDITURES INSTRUCTION (71000) SPECIAL EDUCATION PROGRAM (71200) | GENERAL PURPOSE FUND | *FTE Positions | IDEA PART B | *FTE Positions | PRESCHOOL GRANT | *FTE Positions |
|------------------|---|----------------------|----------------|---------------|----------------|-----------------|----------------|
| 116 | Teachers | 661,600 | 17 | 40,500 | 1 | | |
| 117 | Career Ladder Program | 9,000 | XXXXXXX | XXXXXXX | XXXXXXX | XXXXXXX | XXXXXXX |
| 127 | Career Ladder Extended Contracts | | XXXXXXX | XXXXXXX | XXXXXXX | XXXXXXX | XXXXXXX |
| 128 | Homebound Teachers | 7,000 | 0.25 | | | | |
| 162 | Clerical Personnel | | | | | | |
| 163 | Educational Assistants | 51,618 | 4 | 232,526 | 17.5 | 12247 | |
| 171 | Speech Pathologist | | | | | | |
| 189 | Other Salaries & Wages (Specify) | | | 49600 | 3 | | |
| 195 | Certified Substitute Teachers | 2,863 | 0.33 | 3000 | 0.22 | | |
| 198 | Non-Certified Substitute Teachers | 13,000 | 0.5 | 12000 | 0.45 | | |
| 201 | Social Security | 47,440 | XXXXXXX | 19,950 | XXXXXXX | 800 | XXXXXXX |
| 204 | State Retirement | 45,300 | XXXXXXX | 21945 | XXXXXXX | 1000 | XXXXXXX |
| 206 | Life Insurance | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 207 | Medical Insurance | 31,999 | XXXXXXX | 15000 | XXXXXXX | 1200 | XXXXXXX |
| 208 | Dental Insurance | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 210 | Unemployment Compensation | 1,660 | XXXXXXX | 2100 | XXXXXXX | 70 | XXXXXXX |
| 212 | Employer Medicare | 10,900 | XXXXXXX | 4678 | XXXXXXX | 200 | XXXXXXX |
| 299 | Other Fringe Benefits (Specify) | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 310 | Contracts With Other Public Agencies | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 311 | Contracts With Other School Systems | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 312 | Contracts With Private Agencies | | XXXXXXX | 24022 | XXXXXXX | | XXXXXXX |
| 322 | Evaluation & Testing | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 330 | Operating Lease Payments | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 336 | Maintenance And Repair Services - Equipment | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 356 | Tuition | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 369 | Contracts for Substitute Teachers - Certified | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 370 | Contracts for Substitute Teachers - Non- | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 399 | Other Contracted Services (Specify) | 100 | XXXXXXX | 30000 | XXXXXXX | | XXXXXXX |
| 429 | Instructional Supplies & Materials | 3,700 | XXXXXXX | 10000 | XXXXXXX | | XXXXXXX |
| 449 | Textbooks | | XXXXXXX | 2500 | XXXXXXX | | XXXXXXX |
| 499 | Other Supplies & Materials (Specify) | | XXXXXXX | 11000 | XXXXXXX | 200 | XXXXXXX |
| 535 | Fee Waivers | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 599 | Other Charges (Specify) | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 725 | Special Education Equipment | | XXXXXXX | | XXXXXXX | | XXXXXXX |
| 71200 | TOTAL EXPENDITURES | 886180 | XXXXXXX | 478821 | XXXXXXX | 15717 | XXXXXXX |

Special Education Expenses Only
 FTE Positions: Full time equivalency – use two decimals.
 Line item substitutions or additions shall NOT be made.
 All personnel must be verified with budget allocation. Do not put numbers in XXX blocks
ROUND TO NEAREST DOLLAR

TRR&MS 0520-1-9-.03 (2) (k) (7)
 0520-1-9-.03 (1) (k) (2)
 EDGAR Sect 80.20 (a) (2)
 (Subpart C (b) (4))