



## The Relationship between Title I Services and Special Education Services

The Iowa Department of Education would like to remind Iowa parents and educators about the relationship between Title I services in Targeted Assistance schools under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), and special education services required for a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA). In short, children with disabilities cannot be categorically excluded from services under Title I.

Many children with disabilities are also children with low income, and many students with disabilities “share many of the same characteristics as students who are eligible for Title I services, including low test scores and poor classroom performance” (Carlson & O’Reilly, 1996). The challenge is to meet the needs of children who are eligible under both the IDEA and Title I.

### 1. Children with disabilities may participate in Title I services.

This is specifically allowed in the ESSA, which provides that “children with disabilities,” among other groups, “are eligible for services under [Title I] on the same basis as other children selected to receive services under [Title I].” (ESSA, § 1115(c)(2)(A)). Furthermore, the ESSA requires Title I and IDEA to be coordinated (ESSA, § 1111(a)(1)(B)). Additionally, the IDEA requires that children with disabilities have access to the full range of program options that a school district offers, which would include Title I services (34 C.F.R. § 300.110). A child with a disability must be ranked for Title I services in the same manner as children without disabilities (Carlson & O’Reilly, 1996). Finally, categorically excluding children with disabilities from being ranked for or receiving Title I services would violate antidiscrimination laws, such as Section 504 or the Americans with Disabilities Act.

### 2. Children with disabilities may receive Title I services in their special education goal areas.

There is a commonly held belief that a child with a special education goal in reading cannot receive Title I services in reading. This blanket rule is contrary to long-standing federal guidance on Title I (*Letter to Montano*, 1992). To the extent that prior communications from the Iowa Department of Education implied that a child with a special education reading goal cannot receive Title I reading services, that interpretation is

specifically disapproved as contrary to federal law. The relationship between Title I and the IDEA requires thought and application on a case-by-case basis (*Letter to Mullen*, 1979), as explained in the next two points.

### 3. Title I funds may not be used to provide services required under special education law.

Services required for a child to receive a FAPE must not be supported with Title I funds (ESSA, § 1115(c)(3)). For example, if a child's IEP calls for 45 minutes/week in specially designed instruction in reading, Title I funds may not be used to provide that instruction or implement the IEP (*Letter to Stefanic*, 2008).

### 4. Title I funds may be used to coordinate with or supplement special education services.

While Title I funds shall not be used to provide IDEA-required services, they may be used to supplement or coordinate with special education services (ESSA, § 1115(c)(3)). In the example above, a school's Title I criteria determined that the child would receive 120 minutes/week in reading instruction. Special education would be responsible for 45 minutes, and Title I would be responsible for at least 75 minutes. For an additional example, a child who is eligible for Title I services in mathematics needs a paraeducator to address health needs. Title I provides the additional instruction in mathematics, and special education funds provide the paraeducator.

## Additional Information

For additional information, please contact the Iowa Department of Education. For Title I questions, please contact Geri McMahon at 515-281-3944. For special education questions, please contact Barb Guy at 515-281-3527. For finance questions, please contact Tom Cooley at 515-725-1120.

## References

- Every Student Succeeds Act, Pub. L. 114-95 (2015).
- Individuals with Disabilities Education Act regulations, 34 C.F.R. pt. 300 (2006).
- Letter to Stefanic*, 108 LRP 17829 (U.S. Dep't of Educ. 2008).
- Letter to Montano, 18 IDELR 1232 (OSEP 1992).
- Letter to Mullen*, 211 IDELR 129 (BEH 1979).
- Carlson, E. & O'Reilly, F.E. (1996) Integrating Title I and Special Education Service Delivery. *Remedial and Special Education*, 17, 21-29.