

ACQUISITION OF EQUIPMENT AND CONSTRUCTION OR ALTERATION OF FACILITIES UNDER IDEA

IDEA allows the use of Part B and Preschool funds for the acquisition of equipment and for construction or alteration of facilities under certain conditions defined in the Part B regulations.

300.718 Acquisition of equipment and construction or alteration of facilities:

- (a) General. If the Secretary determines that a program authorized under Part B of the Act will be improved by permitting program funds to be used to acquire appropriate equipment or to construct new facilities or alter existing facilities, the Secretary may allow the use of those funds for those purposes.
- (b) Compliance with certain regulations. Any construction of new facilities or alteration of existing facilities under paragraph (a) of this section must comply with the requirements of -
 - (1) Appendix A of part 36 of title 28, Code of Federal Regulations (commonly known as the "Americans with Disabilities Accessibility Standards for Buildings and Facilities"); or
 - (2) Appendix A of subpart 101-19.6 of title 41, Code of Federal Regulations (commonly known as the "Uniform Federal Accessibility Standards").
- (c) *Equipment* is defined in federal regulations at 34 CFR §74.2:
- (d) Equipment means tangible nonexpendable personal property including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.
- (e) Idaho School Districts or LEAs intending to use IDEA Part B funds for the purchase of equipment, as defined above, or for remodeling or construction of facilities, must:
- (f) Budget the total cost of the equipment or remodeling/construction project on the current year flow-through budget form, clearly indicating the function/program code and expenditure or asset sub-object code to which these costs will be charged.
- (g) Submit a letter, signed by the district superintendent or charter school administrator and addressed to the Director of Special Education, Idaho State Department of Education, requesting pre-approval for the equipment purchase or remodeling/construction cost. The letter must include the following:

For equipment purchases:

Detail of the items to be purchased, including base cost per unit and any additional costs (such as delivery, installation, etc.), name of vendor, and assurance that all applicable state and/or district/LEA procurement policies and procedures have been adhered to in the purchase of this item. The letter should include a detailed description of the manner in which the item of equipment will be used in providing services to children with disabilities and how its use will improve the special education program of the district or LEA.

For remodeling/construction projects:

A detailed description of the construction/remodeling project that includes description of work to be done, individual items of cost, and total estimated cost of the project (*an example of project descriptions is included following this summary*). The letter should include estimated timelines for completion of the project, the names of contractors and vendors to be used, and assurances that all applicable state and/or district/LEA contracting and procurement policies and procedures have been adhered to in the purchase of this item. The letter should include a detailed description indicating how the new or remodeled facility will be used in providing services to children with disabilities and how its use will improve the special education program of the district or LEA.

The State Director of Special Education will respond to these requests within a reasonable amount of time, either approving or disapproving the equipment purchase or remodeling/construction project. Please note, however, that equipment purchased or remodeling/construction begun prior to approval by the SDE may result in an audit exception, and the LEA may be required to repay the funds used.

Inventory Management Systems

LEAs and charter school sub-recipients of IDEA Part B funds that use those funds to purchase equipment or property must maintain an adequate inventory management that complies with 2 CFR 200.313 (c)-(e).

Property records in the inventory management system should include, at a minimum:

1. Property description
2. Identification number

3. Source of funding
4. Acquisition date and cost
5. The location, use* and condition of the property; and
6. Any ultimate disposition data including the date of disposal and sale price of the property.

In addition to the above information, the inventory management system should ensure that all source documents in support of the above information are maintained throughout the life and disposition of the equipment, and property records should be updated frequently so that grantees and subgrantees can account for every piece of equipment purchased with federal funds at any given time.

* Equipment or property purchased exclusively with IDEA Part B funds must be used exclusively for the benefit of the Special Education Program.

Inventory Controls

- Adequate safeguards to prevent loss, damage, or theft
- Physical inventory of property at least every two years
- Adequate maintenance of equipment

Disposition of Equipment

2 CFR 200.313(e) establishes rules for disposing of equipment:

(e) Disposition. When original or replacement equipment acquired under a grant or subgrant is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the equipment will be made as follows:

- (1) Items of equipment with a current per-unit fair market value of less than \$5,000.00 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- (2) Items of equipment with a current per unit fair market value in excess of \$5,000.00 may be retained or sold, and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.
- (3) In cases where a grantee or subgrantee fails to take appropriate disposition actions, the awarding agency may direct the grantee or subgrantee to take excess and disposition action.