

**Department of Education**  
**SPECIAL EDUCATION**  
**Fiscal Year 2024 Budget Request**

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<https://www2.ed.gov/about/overview/budget/statetables/index.html>

## Appropriations Language

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, [\$15,453,264,000] \$18,179,373,000, of which [\$5,870,321,000] \$8,410,430,000 shall become available on July 1, [2023] 2024, and shall remain available through September 30, [2024] 2025, and of which \$9,283,383,000 shall become available on October 1, [2023] 2024, and shall remain available through September 30, [2024] 2025, for academic year [2023-2024] 2024-2025:<sup>1</sup> *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year [2022] 2023, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year [2022] 2023:<sup>2</sup> *Provided* further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty:<sup>3</sup> *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution:<sup>4</sup> *Provided further*, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f):<sup>5</sup> *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous

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provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years:<sup>6</sup> *Provided further*, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed 5, until the entire reduction is applied:<sup>7</sup> *Provided further*, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction:<sup>8</sup> *Provided further*, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a):<sup>9</sup> *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA:<sup>10</sup> *Provided further*, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart:<sup>11</sup> *Provided further*, That States may use funds reserved for other State-level activities under sections 611(e)(2) and 619(f) of the IDEA to make subgrants to local educational agencies, institutions of higher

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education, other public agencies, and private non-profit organizations to carry out activities authorized by those sections:<sup>12</sup> Provided further, That, notwithstanding section 643(e)(1) of the IDEA, the Secretary may reserve up to \$200,000,000 of the funds appropriated under Part C of the IDEA to provide grants to States that are either carrying out the policy described in sections 632(5)(B)(ii) and 635(c) or are serving at-risk infants and toddlers as defined in section 632(1) and 632(5)(B)(i) in order to facilitate the implementation of such policy:<sup>13</sup> *Provided further, That, notwithstanding section 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for grants pursuant to section 643(e) of such Act, the Secretary shall provide a grant to each State in an amount equal to the maximum amount described in section 643(e)(2)(B) of such Act:*<sup>14</sup> *Provided further, That if more than 5 States apply for grants pursuant to section 643(e) of the IDEA, the Secretary shall award funds to those States on the basis of the States' relative populations of infants and toddlers except that no such State shall receive a grant in excess of the amount described in section 643(e)(2)(B) of such Act:*<sup>15</sup> *Provided further, That States may use funds allotted under section 643(c) of the IDEA to make subgrants to [local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations] early intervention service providers to carry out activities authorized by section 638 of the IDEA:*<sup>16</sup> Provided further, That, notwithstanding section 638 of the IDEA, any State receiving a grant under section 633 of the IDEA must reserve not less than ten percent of its award for use in a manner described in a State plan, approved by the Secretary, to ensure equitable access to and participation in Part C services in the State, particularly for populations that have been traditionally underrepresented in the program:<sup>17</sup> *Provided further, That, notwithstanding section 632(4)(B) of the IDEA, a State receiving a grant under section 633 of the IDEA may establish a system of payments but may not include in that system family fees or out-of-pocket costs to families for early intervention services:*<sup>18</sup> Provided further, That any State

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seeking to amend its eligibility criteria under section 635(a)(1) of the IDEA in such a way that would have the effect of reducing the number of infants and families who are eligible under Part C must conduct the public participation under section 637(a)(8) of the IDEA at least 24 months prior to implementing such a change:<sup>19</sup> *Provided further*, That, notwithstanding section 638 of the IDEA, a State may use funds it receives under section 633 of the IDEA to offer continued early intervention services to a child who previously received services under part C of the IDEA from age 3 until the beginning of the school year following the child's third birthday with parental consent and without regard to the procedures in section 635(c) of the IDEA:<sup>20</sup> *Provided further*, That, notwithstanding section 643(c) of the IDEA, the Secretary shall allot, from the funds remaining for each fiscal year after the reservation and payments under subsections (a), (b), and (e) of section 643, to each State (as that term is defined in section 643(c)(4)(B)) according to the following: 85 percent on the basis of the State's relative population of infants and toddlers and 15 percent on the basis of the State's relative population of such children who are living in poverty, except that no State shall receive less than 90 percent of the amount it received in the preceding fiscal year:<sup>21</sup> *Provided further*, That, notwithstanding section 638 of the IDEA, a State may use funds appropriated under Part C of the IDEA to conduct child find, public awareness, and referral activities for an individual who is expected to become a parent of an infant with a disability (as that term is defined in section 632(5)), as established by medical or other records:<sup>22</sup> *Provided further*, That any State electing to use funds under the preceding proviso shall ensure that, as soon as possible but not later than 45 days after the child's birth, it completes the referral and eligibility process under this part for that child:<sup>23</sup> *Provided further*, That, notwithstanding section 611 of the IDEA, the Secretary may reserve up to \$5,000,000 to study issues related to the creation and implementation of a comprehensive system of services and supports for children with disabilities from birth through age five.<sup>24</sup>

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(Department of Education Appropriations Act, 2023)

### NOTE

Each language provision that is followed by a footnote reference is explained in the Analysis of Language Provisions and Changes document which follows the appropriations language.

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**Analysis of Language Provisions and Changes**

Language Provision	Explanation
<p><sup>1</sup> ... [\$15,453,264,000] <u>\$18,179,373,000</u>, of which [\$5,870,321,000] <u>\$8,410,430,000</u> shall become available on July 1, [2023] <u>2024</u>, and shall remain available through September 30, [2024] <u>2025</u>, and of which \$9,283,383,000 shall become available on October 1, [2023] <u>2024</u>, and shall remain available through September 30, [2024] <u>2025</u>, for academic year [2023-2024] <u>2024-2025</u>:</p>	<p>This language provides for funds to be appropriated on a forward-funded basis for a portion of the Grants to States program, and all of the Preschool Grants and Grants for Infants and Families programs. The language also provides that a portion of the Grants to States funds are for an advance appropriation that becomes available for obligation on October 1 of the fiscal year following the year of the appropriation.</p>
<p><sup>2</sup> <i>Provided</i>, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year [2022] <u>2023</u>, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year [2022] <u>2023</u>:</p>	<p>This language limits the amount of funds required to be transferred to the Department of the Interior under the Grants to States program to the lesser of an amount equal to the amount transferred to the Department of the Interior in 2023 plus inflation or the percent change in the appropriation for the Grants to States program. This language also clarifies that in the event of a decrease or no change in the appropriation for the Grants to States program, the amount of funds required to be transferred to the Department of the Interior remains level with the amount they received under the fiscal year 2023 appropriation.</p>

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### Analysis of Language Provisions and Changes

Language Provision	Explanation
<p><sup>3</sup> <i>Provided further</i>, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty:</p>	<p>This language authorizes the Department to reallocate funds that are reduced from a State's award as a result of a failure to meet the maintenance of State financial support requirements of section 612 of the IDEA and requires that those funds be distributed to other States on the basis of their relative populations of children in the age ranges for which a State ensures a free appropriate public education and those children living in poverty.</p>
<p><sup>4</sup> <i>Provided further</i>, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution:</p>	<p>This language ensures that any State receiving a reduction in their section 611 allocation as a result of not meeting the maintenance of State financial support requirements of section 612 of the IDEA does not receive funds redistributed as a result of another State's failure to meet those same requirements.</p>
<p><sup>5</sup> <i>Provided further</i>, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f):</p>	<p>This language requires States to distribute the funds received under the second proviso to local educational agencies without reserving a portion of those funds for State-level activities.</p>
<p><sup>6</sup> <i>Provided further</i>, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years:</p>	<p>This language allows the Department to calculate a State's allocation under section 611(d) in future years without regard to reductions in awards made as a result of a failure to meet the maintenance of State financial support requirements in section 612. This language mitigates the potential long-term impact of one-time reductions in awards.</p>

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**Analysis of Language Provisions and Changes**

Language Provision	Explanation
<p><sup>7</sup> <i>Provided further</i>, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed 5, until the entire reduction is applied:</p>	<p>This language permits the Secretary to spread out a reduction from a State's award as a result of a failure to meet the maintenance of State financial support requirements of section 612 of the IDEA over a maximum of 5 years.</p>
<p><sup>8</sup> <i>Provided further</i>, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction:</p>	<p>This language permits the Secretary to reduce the maximum State set-aside for State administration by the same percentage as the reduction in the State's overall IDEA section 611 grant.</p>
<p><sup>9</sup> <i>Provided further</i>, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a):</p>	<p>This language permits the Secretary to:</p> <ul style="list-style-type: none"> <li>(1) seek to recover non-Federal (State) funds in the amount of the State's failure to meet the maintenance of State financial support requirements of section 612 under the recovery of funds provision in section 452 of the General Education Provisions Act, or</li> <li>(2) reduce the State's IDEA section 611 grant.</li> </ul>

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### Analysis of Language Provisions and Changes

Language Provision	Explanation
<p><sup>10</sup> <i>Provided further</i>, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA:</p>	<p>This language authorizes the Department to use funds available under section 611(c) to provide technical assistance and support to States on a broad range of issues, including compliance with applicable privacy laws and appropriate coordination and linking of information within and across Federal, State, and local data systems for the unique needs of students with disabilities and their families and the purposes of the IDEA programs and data collections.</p>
<p><sup>11</sup> <i>Provided further</i>, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart:</p>	<p>This language permits the Secretary to use funds appropriated for the State Personnel Development Grants program under Part D of the IDEA to evaluate program performance.</p>
<p><sup>12</sup> <i>Provided further</i>, That States may use funds reserved for other State-level activities under sections 611(e)(2) and 619(f) of the IDEA to make subgrants to local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations to carry out activities authorized by those sections:</p>	<p>This language permits States to subgrant funds that they reserve for “Other State-level activities” under the Grants to States and Preschool Grants to States programs.</p>
<p><sup>13</sup> <u><i>Provided further</i>, That, notwithstanding section 643(e)(1) of the IDEA, the Secretary may reserve up to \$200,000,000 of the funds appropriated under Part C of the IDEA to provide grants to States that are either carrying out the policy described in sections 632(5)(B)(ii) and 635(c) or are serving at-risk infants and toddlers as defined in section 632(1) and 632(5)(B)(i) in order to facilitate the implementation of such policy:</u></p>	<p>This language permits the Secretary to reserve up to \$200 million for State Incentive Grants under Part C of the IDEA to provide grants to States that exercise either the option to serve at-risk infants and toddlers or the option to continue to provide services under Part C of the IDEA to children ages three through five.</p>

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### Analysis of Language Provisions and Changes

Language Provision	Explanation
<p><sup>14</sup> <i>Provided further</i>, That, notwithstanding section 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for grants pursuant to section 643(e) of such Act, the Secretary shall provide a grant to each State in an amount equal to the maximum amount described in section 643(e)(2)(B) of such Act:</p>	<p>In years in which 5 or fewer States apply for funding under the State Incentive Grants program under Part C of the IDEA, this language would allow the Department to provide all States that apply 20 percent of the funds reserved for the program.</p>
<p><sup>15</sup> <i>Provided further</i>, That if more than 5 States apply for grants pursuant to section 643(e) of the IDEA, the Secretary shall award funds to those States on the basis of the States' relative populations of infants and toddlers except that no such State shall receive a grant in excess of the amount described in section 643(e)(2)(B) of such Act:</p>	<p>In years in which more than 5 States apply for funding under the State Incentive Grants program under Part C of the IDEA, this language would allow the Department to ensure that all funds are allocated to eligible States on the relative basis of the number of infants and toddlers in each State.</p>
<p><sup>16</sup> <i>Provided further</i>, That States may use funds allotted under section 643(c) of the IDEA to make subgrants to [local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations] <u>early intervention service providers</u> to carry out activities authorized by section 638 of the IDEA:</p>	<p>This language authorizes States to subgrant funds received under Part C of the IDEA to early intervention service providers.</p>
<p><sup>17</sup> <i>Provided further</i>, That, <u>notwithstanding section 638 of the IDEA, any State receiving a grant under section 633 of the IDEA must reserve not less than ten percent of its award for use in a manner described in a State plan, approved by the Secretary, to ensure equitable access to and participation in Part C services in the State, particularly for populations that have been traditionally underrepresented in the program:</u></p>	<p>This language requires all States to reserve 10 percent of their Part C funding to implement a State equity plan to ensure equitable access to IDEA Part C services, which must be approved by the Secretary.</p>
<p><sup>18</sup> <i>Provided further</i>, That, <u>notwithstanding section 632(4)(B) of the IDEA, a State receiving a grant under section 633 of the IDEA may establish a system of payments but may not include in that system family fees or out-of-pocket costs to families for early intervention services:</u></p>	<p>This language would prohibit any State receiving funds under Part C of the IDEA from charging family fees or requiring out-of-pocket costs for receipt of services under Part C of the IDEA.</p>

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**Analysis of Language Provisions and Changes**

Language Provision	Explanation
<p><sup>19</sup> <u>Provided further, That any State seeking to amend its eligibility criteria under section 635(a)(1) of the IDEA in such a way that would have the effect of reducing the number of infants and families who are eligible under Part C must conduct the public participation under section 637(a)(8) of the IDEA at least 24 months prior to implementing such a change:</u></p>	<p>This language requires any State seeking to limit eligibility under Part C to provide at least 2 years of advance notice to the public before implementing such changes.</p>
<p><sup>20</sup> <u>Provided further, That, notwithstanding section 638 of the IDEA, a State may use funds it receives under section 633 of the IDEA to offer continued early intervention services to a child who previously received services under Part C of the IDEA from age 3 until the beginning of the school year following the child's third birthday with parental consent and without regard to the procedures in section 635(c) of the IDEA:</u></p>	<p>This language would allow States to use Federal funds to continue to offer Part C services to eligible children with disabilities from their third birthday until the beginning of the next school year.</p>
<p><sup>21</sup> <u>Provided further, That, notwithstanding section 643(c) of the IDEA, the Secretary shall allot, from the funds remaining for each fiscal year after the reservation and payments under subsections (a), (b), and (e) of section 643, to each State (as that term is defined in section 643(c)(4)(B)) according to the following: 85 percent on the basis of the State's relative population of infants and toddlers and 15 percent on the basis of the State's relative population of such children who are living in poverty, except that no State shall receive less than 90 percent of the amount it received in the preceding fiscal year:</u></p>	<p>This language would require the Secretary to allocate funding to States under Part C of the IDEA on the basis of their relative populations of infants and toddlers and those children living in poverty. Further, this language limits the potential reduction a State may see in its allocation from one year to the next.</p>

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**Analysis of Language Provisions and Changes**

Language Provision	Explanation
<p><sup>22</sup> <u>Provided further, That, notwithstanding section 638 of the IDEA, a State may use funds appropriated under Part C of the IDEA to conduct child find, public awareness, and referral activities for an individual who is expected to become a parent of an infant with a disability (as that term is defined in section 632(5)), as established by medical or other records:</u></p>	<p>This language would provide States with the flexibility to use funds under Part C of the IDEA to conduct certain activities with individuals expecting to become parents of infants or toddlers with disabilities.</p>
<p><sup>23</sup> <u>Provided further, That any State electing to use funds under the preceding proviso shall ensure that, as soon as possible but not later than 45 days after the child's birth, it completes the referral and eligibility process under this part for that child:</u></p>	<p>This language requires any State exercising the flexibility in the preceding proviso to ensure that referral and eligibility processes are completed in a timely manner for all affected children.</p>
<p><sup>24</sup> <u>Provided further, That, notwithstanding section 611 of the IDEA, the Secretary may reserve up to \$5,000,000 to study issues related to the creation and implementation of a comprehensive system of services and supports for children with disabilities from birth through age five.</u></p>	<p>This language allows the Secretary to reserve up to \$5 million under the Grants to States program to study the implications of establishing a comprehensive system of services and supports for children with disabilities from birth through age five.</p>

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**Appropriation, Adjustments, and Transfers**  
(dollars in thousands)

Appropriation/Adjustments/Transfers	2022	2023	2024
<b>Discretionary:</b>			
Appropriation	\$14,519,119	\$15,453,264	\$18,179,373
Total, discretionary appropriation	14,519,119	15,453,264	18,179,373
<b>Advance:</b>			
Advance for succeeding fiscal year	-9,283,383	-9,283,383	-9,283,383
Advance from prior year	<u>9,283,383</u>	<u>9,283,383</u>	<u>+9,283,383</u>
Total, budget authority	14,519,119	15,453,264	18,179,373

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### Summary of Changes (dollars in thousands)

2023	\$15,453,264
2024	<u>18,179,373</u>
Net change	<u>+2,726,109</u>

<b>Increases:</b>	2023 base	Change from base
<u>Program:</u>		
State grants: Grants to States	\$14,193,704	+2,065,489
State grants: Preschool grants	420,000	+82,620
State grants: Grants for infants and families	540,000	+392,000
National activities: State personnel development	38,630	+15,000
National activities: Technical assistance and dissemination	45,345	+10,000
National activities: Personnel preparation	115,000	+135,000
National activities: Parent information centers	33,152	+16,000
National activities: Educational technology, media, and materials	31,433	+10,000
Net change		<u>+2,726,109</u>

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**Authorizing Legislation**  
(dollars in thousands)

Activity	2023 Authorized	2023 Appropriation	2024 Authorized	2024 Request
State Grants:				
Grants to States ( <i>IDEA-B-611</i> )	Indefinite <sup>1</sup>	\$14,193,704 <sup>2</sup>	Indefinite <sup>1</sup>	\$16,259,193 <sup>2</sup>
Preschool grants ( <i>IDEA-B-619</i> )	Indefinite	420,000	Indefinite	502,620
Grants for infants and families ( <i>IDEA-C</i> )	0 <sup>3</sup>	540,000	0 <sup>3</sup>	932,000
National activities:				
State personnel development ( <i>IDEA-D-1</i> )	0 <sup>3</sup>	38,630	0 <sup>3</sup>	53,630
Technical assistance and dissemination ( <i>IDEA-D-2-663</i> )	0 <sup>3</sup>	45,345	0 <sup>3</sup>	55,345
Personnel preparation ( <i>IDEA-D-2-662</i> )	0 <sup>3</sup>	115,000	0 <sup>3</sup>	250,000
Parent information centers ( <i>IDEA-D-3-671-673</i> )	0 <sup>3</sup>	33,152	0 <sup>3</sup>	49,152
Educational technology, media, and materials ( <i>IDEA-D-3-674</i> )	0 <sup>3</sup>	31,433	0 <sup>3</sup>	41,433
Special Olympics education programs ( <i>SOSEA 3(a)</i> )	Indefinite	36,000	Indefinite	36,000
Total definite authorization	0		0	
Total annual appropriation		15,453,264		18,179,373
Portion of request subject to reauthorization				1,381,560

<sup>1</sup> Funding for technical assistance on State data collection is limited to \$25,000 thousand adjusted for inflation. This amount is estimated to be \$40,272 thousand for fiscal year 2023 and \$41,569 thousand for fiscal year 2024.

<sup>2</sup> Includes \$20,000 thousand for technical assistance on State data collection in fiscal years 2023 and 2024.

<sup>3</sup> The GEPA extension expired September 30, 2011; continued funding is proposed for this program in fiscal year 2024 through appropriations language.

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**Appropriations History**  
(dollars in thousands)

Year	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2015 <sup>1</sup>	\$12,600,627	N/A	\$12,555,044	\$12,522,358
2015 Advance for 2016	(10,124,103)		(9,283,383)	(9,283,383)
2016 <sup>2</sup>	12,822,358	\$13,024,510	12,636,817	12,976,858
2016 Advance for 2017	(9,283,383)	(9,283,383)	(9,283,383)	(9,283,383)
2017 <sup>3</sup>	13,066,858	13,406,517	13,066,858	13,001,315
2017 Advance for 2018	(9,283,383)	(9,283,383)	(9,283,383)	(9,220,340)
2018 <sup>4</sup>	12,942,125	13,251,691	13,066,858	13,038,681
2018 Advance for 2019	(10,124,103)	(9,283,383)	(9,283,383)	(9,283,383)
2019 <sup>5</sup>	13,051,776	13,422,651	13,493,684	13,468,728
2019 Advance for 2020	(10,124,103)	(9,283,383)	(9,283,383)	(9,283,383)
2020 <sup>6</sup>	13,451,145	14,523,544	13,473,228	13,885,228
2020 Advance for 2021	(10,124,103)	(9,283,383)	(9,283,383)	(9,283,383)
2021 <sup>7</sup>	13,985,228	14,092,995	14,012,728	14,070,743
2021 Mandatory supplemental, ARP Act (P.L. 117-02) <sup>8</sup>	0	0	0	3,030,000
2021 Advance for 2022	(9,283,383)	(9,283,383)	(9,283,383)	(9,283,383)
2022 <sup>9</sup>	17,193,256	17,193,256	17,193,256	14,519,119
2022 Advance for 2023	(9,283,383)	(9,283,383)	(9,283,383)	(9,283,383)
2023 <sup>10</sup>	18,130,170	17,760,679	16,744,570	15,453,264
2023 Advance for 2024	(9,283,383)	(9,283,383)	(9,283,383)	(9,283,383)
2024	18,179,373			
2024 Advance for 2025	(9,283,383)			

<sup>1</sup> The level for the Senate allowance reflects Senate Subcommittee action only.

<sup>2</sup> The House allowance is shown as N/A because there was no Subcommittee action; Senate allowance reflects Senate Subcommittee action only.

<sup>3</sup> The levels for the House and Senate allowances reflect Committee action on the regular annual 2017 appropriations bill; the Appropriation reflects the Consolidated Appropriations Act, 2017.

<sup>4</sup> The level for the House allowance reflects floor action on the Omnibus appropriation bill; the Senate allowance reflects Committee action on the regular annual 2018 appropriations bill; the Appropriation reflects the Consolidated Appropriations Act, 2018 (P.L. 115-141).

<sup>5</sup> The levels for the House and Senate Allowance reflect Committee action on the regular annual 2019 appropriations bill; the Appropriation reflects enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 (P.L. 115-245).

<sup>6</sup> The Senate Allowance reflects the Chairman's mark; the Appropriation reflects the Further Consolidated Appropriations Act, 2020 (P.L. 116-94).

<sup>7</sup> The level for the Senate Allowance reflects the Chairman's mark; the Appropriation reflects Division H of the Consolidated Appropriations Act, 2021 (P.L. 116-260).

<sup>8</sup> The Appropriation reflects the American Rescue Plan Act of 2021 (P.L. 117-02).

<sup>9</sup> The House allowance reflects floor action; the Senate allowance reflects the Chair's mark; and the Appropriation reflects Division H of the Consolidated Appropriations Act, 2022 (P.L. 117-103).

<sup>10</sup> The House allowance reflects the regular annual FY 2023 appropriation, which was introduced on the floor; the Senate allowance reflects the Chair's mark; and the Appropriation reflects the Consolidated Appropriations Act, 2023 (P.L. 117-328).

## SPECIAL EDUCATION

### Significant Items in FY 2023 Appropriations Reports

#### Technical Assistance and Dissemination

Explanatory

Statement: The Department is directed to provide an update on actions and plans to ensure that intervener services are available when recommended by the Individualized Education Program team and parents and families are aware of such services as early as possible in the fiscal year 2024 Congressional Justification.

Response: The fiscal year 2023 notice inviting applications for State Deaf-Blind Projects and the National Center (National Center) for Deaf-Blind Children encourages State Deaf-Blind Projects (State Projects) to support the training and certification of interveners in both early intervention and classroom environments by collaborating with and implementing training resources developed by the National Center on Deaf-Blindness. The notice requires that the National Center work with State Projects to ensure that interveners have access to specialized training and the tools needed to support the needs of Deaf-Blind children as well as expand the development and use of training modules to support the personnel development of interveners. Additionally, the notice requires that for States that use, or plan to use, certified interveners, those States must collaborate with the National Center to increase the number of qualified interveners with the State.

The National Center is working to update resources for educators and parents to ensure that all materials align with the new Council for Exceptional Children's knowledge and skill competencies for interveners that were published in 2022. The Department continues to work with State Projects and the National Center to ensure that educators and parents are aware of intervener services as early as possible.

Explanatory

Statement: The Department also is directed to provide technical assistance and support to any State considering how to remove barriers like family fees and associated administrative requirements that deter families from accessing needed Part C services.

Response: The Center for IDEA Fiscal Reporting (CIFR) assists states to improve the quality of their collection, reporting, analysis, and use of IDEA Part B and Part C fiscal data. In fiscal year 2022, the Department amended the CIFR work plan to provide technical assistance to States to address issues around State financing of IDEA Part C services, including facilitating regional communities of practice, maintaining a Part C listserv, and providing state-specific targeted and intensive technical assistance. This could include technical assistance to States in supporting families in accessing necessary services without requiring them to pay out of pocket, including the use of State or Federal funds to cover insurance co-pays.

## SPECIAL EDUCATION

### Summary of Request

The Administration is dedicated to ensuring that every child in America's schools has the opportunity to be successful. Part of that commitment is ensuring that States, districts, and schools have the resources they need to effectively support the students and families they serve. The fiscal year 2024 President's Request for Special Education of \$18.2 billion represents an historic commitment to meeting the diverse needs of children with disabilities nationwide, increasing regular annual funding for IDEA programs by \$2.7 billion over the prior year level, with investments in State formula grants, personnel development, technical assistance, personnel preparation, parent resources, and educational technology, media, and materials. The request also includes proposals to increase equity in IDEA programs, keep students safe and in the classroom, and ensure continuity of services.

The Administration requests \$16.3 billion for the **Grants to States** program, an increase of \$2.1 billion from the fiscal year 2023 appropriation, to assist States and schools in covering the excess costs of providing special education and related services to children with disabilities ages 3 through 21. The request would provide an average of \$2,171 for each of the 7.5 million children with disabilities who are estimated to be served in 2024. Under this Request, the Federal contribution toward meeting the excess cost of special education and related services would be approximately 12.7 percent of the national average per pupil expenditures.

The request of \$502.6 million for **Preschool Grants**, an increase of \$82.6 million from the fiscal year 2023 appropriation, would assist States and schools in providing special education services to children ages 3 through 5.

The request of \$932 million for **Grants for Infants and Families**, an increase of \$392 million from the fiscal year 2023 appropriation, would provide assistance to States to help them implement statewide systems of early intervention services for children from birth through age 2. The request also includes appropriations language which would require States to develop and implement equity plans under Part C of the IDEA, prohibit out-of-pocket expenses for families participating in the program, require States to provide adequate notice before instituting limits on eligibility under the program, and increase flexibility for States to offer summer bridge services to children transitioning from the Part C program into their State's Part B program.

The \$449.6 million request for **National Activities** programs would provide targeted increases designed to support the needs of schools, districts, and families. Specifically, the request includes \$250 million for the **Personnel Preparation** program, an historic investment in bolstering the educator pipeline that would support the training of tens of thousands of new teachers and service providers over the next five years. The request also includes \$53.6 million for the **State Personnel Development** program, an increase of \$15 million from the fiscal year 2023 appropriation, to continue support of professional development to support a State's comprehensive system of personnel development under Part C of the IDEA and the needs of personnel serving children in preschool through third grade. In addition, the request includes \$55.3 million for **Technical Assistance and Dissemination**, an increase of \$10 million from the fiscal year 2023 appropriation, which would support additional technical assistance efforts designed to improve equity in the services delivered under the IDEA. The request also includes \$49.2 million for **Parent Information Centers**, an increase of \$16 million from the fiscal year 2023 appropriation, to support parents and families of children with disabilities. Finally, the request includes \$41.4 million for **Educational Technology, Media, and Materials**, an increase

## SPECIAL EDUCATION

### Summary of Request – continued

of \$10 million from the fiscal year 2023 appropriation, which would support accessible technology and media-related activities under the Individuals with Disabilities Education Act (IDEA). Within these increases, the Request includes \$20 million in targeted support to help ensure that both military-connected children and other highly-mobile populations with disabilities receive the free appropriate public education to which they are entitled under the IDEA and do not experience unnecessary delays in service delivery as a result of changing schools or moving to a new LEA.<sup>1</sup>

The Administration's request would maintain support for the **Special Olympics Education Programs** at the fiscal year 2023 level.

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<sup>1</sup> See Technical Assistance and Dissemination; Parent Information Centers; and Educational Technology, Media, and Materials.

## SPECIAL EDUCATION

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### **State grants: Grants to States**

(Individuals with Disabilities Education Act, Part B, Section 611)

(dollars in thousands)

FY 2024 Authorization: Indefinite<sup>1,2</sup>

Budget Authority:

	2023 Appropriation	2024 Request	Change
Annual appropriation	\$4,910,321	\$6,975,810	+\$2,065,489
Advance for succeeding fiscal year	9,283,383	9,283,383	0
Total	14,193,704	16,259,193	+2,065,489

### **PROGRAM DESCRIPTION**

The Grants to States program provides formula grants to assist the 50 States, the District of Columbia, Puerto Rico, the Department of the Interior, the Outlying Areas, and the Freely Associated States in meeting the excess costs of providing special education and related services to children with disabilities. In order to be eligible for funding, States must serve all children with disabilities between the ages of 3 through 21, except they are not required to serve children aged 3 through 5 or 18 through 21 if services are inconsistent with State law or practice or the order of any court. A State that does not provide a free appropriate public education (FAPE) to children with disabilities aged 3 through 5 cannot receive base payment funds attributable to this age group or any funds under the Preschool Grants program.

The IDEA requires that States and school districts provide any child identified as having a disability covered by the Act with access to a free appropriate public education in the least restrictive environment. The Grants to States program is aimed at assisting States and districts in meeting this mandate.

**Funding Formula** – Funds are allocated among States in accordance with a variety of factors, as outlined under section 611(d) of the Individuals with Disabilities Education Act (IDEA). First, each State is allocated an amount equal to the amount that it received for fiscal year 1999. If the total program appropriation increases over the prior year, 85 percent of the remaining funds are allocated based on the number of children in the general population in the age range for which the States guarantee FAPE to children with disabilities. Fifteen percent of the remaining funds are allocated based on the number of children living in poverty that are in the age range for which the States guarantee FAPE to children with disabilities.

The IDEA also includes several maximum and minimum allocation requirements that are triggered when the amount available for distribution to States increases. The amount that any single State's allocation may increase from one year to the next is capped at the amount the

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<sup>1</sup> Section 611(c) of the Individuals with Disabilities Education Act limits technical assistance activities to \$25,000 thousand, increased by the amount of inflation from year to year. It is estimated that the maximum amount authorized for fiscal year 2024 would be \$41,569 thousand.

<sup>2</sup> Section 611(b)(2) of the Individuals with Disabilities Education Act requires that from the funds appropriated for Grants to States, 1.226 percent shall be set aside for the Department of the Interior. It is estimated that the maximum amount authorized for fiscal year 2024 would be \$245,200 thousand.

## SPECIAL EDUCATION

### State Grants: Grants to States

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State received in the prior year multiplied by the sum of 1.5 percent and the percentage increase in the total amount appropriated for Part B of IDEA from the prior year. The maximum amount that any State may receive in any single fiscal year is calculated by multiplying the number of children with disabilities ages of 3 through 21 served during the 2004-2005 academic year in that State by 40 percent of the annual per pupil expenditure, adjusted by the rate of annual change in the sum of 85 percent of the children aged 3 through 21 for whom that State ensures FAPE and 15 percent of the children living in poverty. Because there are multiple caps, in any single year, the “effective cap” on any single State’s allocation is the lowest cap for that State.

If the amount available for allocation to States remains the same from one year to the next, States receive the same level of funding as in the prior year. If the amount available for allocation to States decreases from the prior year, any amount available for allocation to States above the 1999 level is allocated based on the relative increases in funding that the States received between 1999 and the prior year. If there is a decrease below the amount allocated for 1999, each State’s allocation is ratably reduced from the 1999 level.

States may reserve a portion of their funding for State-level activities, as described below. Any funds not reserved by the State must be passed through to local educational agencies (LEAs). These sub-State allocations are made in a fashion similar to that used to allocate funds among States when the amount available for allocation to States increases. LEAs receive a hold-harmless allocation, and the remaining funds are allocated on the basis of 85 percent population and 15 percent poverty.

State Administration – A State may reserve for State administration up to the greater of the maximum amount the State could reserve for State administration from fiscal year 2004 funds, or \$800,000, increased by inflation as reflected by the Consumer Price Index for All Urban Consumers. For fiscal year 2024, the latter amount is estimated to be approximately \$1.3 million.

Other State Activities – A State may also reserve funds for a variety of other State-level activities such as monitoring, enforcement, addressing personnel needs, and providing technical assistance to LEAs. One authorized activity involves allocating set-aside funds to support a risk pool, or high-cost fund, that is used to assist LEAs in meeting the costs of serving high-need high-cost children.<sup>1</sup> If a State opts to use State-level funds for a risk pool, it must use 10 percent of the funds it reserves for other State-level activities for this purpose. Federal funds set aside by a State must be distributed to LEAs or consortia of LEAs to address the needs of specific high-cost children.

Starting in 2007, the amount that a State may set aside for other State-level activities is based on a percentage of its total allocation for 2006, increased for inflation. The percentage is based on whether the State opts to use funds for a risk pool and the amount of funds that the State sets aside for administration. If the State opts to use funds for a risk pool and the State sets aside \$850,000 or less for administration, the percentage is 10.5 percent. If the State opts to use funds for a risk pool and the State sets aside more than \$850,000 for administration, the percentage is 10 percent. If the State opts not to use funds for a risk pool and the State sets aside \$850,000 or less for administration, the percentage is 9.5 percent. If the State opts not to use funds for a risk pool and the State sets aside more than \$850,000 for administration, the percentage is 9 percent.

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<sup>1</sup> Specifically, children for whom the costs of services exceed 300% of the State’s average per pupil expenditure.

## SPECIAL EDUCATION

### State Grants: Grants to States

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Maintenance of Effort – The IDEA also requires each State to maintain its level of State financial support for special education and related services from one year to the next. This requirement is commonly referred to as the State maintenance of effort, or MOE. However, the IDEA allows any State that provided 100 percent of the non-Federal costs of special education services in the 2003-2004 school year, or any subsequent year, to reduce its level of expenditures by up to 50 percent of any increase in its allocation under the Grants to States program over the prior year. The Department may prohibit a State from exercising this authority if it is determined that a State is not adequately carrying out its responsibilities under the IDEA.

The IDEA also contains a local “maintenance of effort” requirement. Under this requirement, each LEA must maintain its total expenditures on special education from one year to the next. The standard for determining whether this MOE requirement has been met is that the LEA actually expends, in total or per capita, an equal or greater amount of local, or State and local, funds in each subsequent year. However, in any fiscal year that an LEA’s IDEA Part B subgrant allocation exceeds the amount that the LEA received in the previous fiscal year, the IDEA also permits certain LEAs to reduce the level of support otherwise required by this local maintenance of effort requirement by up to 50 percent of any increase in their Part B allocation. LEAs taking advantage of this flexibility must use any funds that otherwise would have been used for the education of children with disabilities to support activities that are authorized under the Elementary and Secondary Education Act (ESEA) of 1965, as amended. Also, if a State educational agency (SEA) determines that an LEA is not meeting the requirements of Part B, including meeting targets in the State’s performance plan, the SEA must prohibit that LEA from reducing its level of support.

Coordinated Early Intervening Services (CEIS) – LEAs typically may use up to 15 percent of their allocation, less any amount used to reduce that LEA’s maintenance of effort level, for early intervening services. Early intervening services generally address the needs of students who require additional academic and behavioral supports to succeed but who are not identified as needing special education. If an SEA determines that an LEA has significant disproportionality on the basis of race in the identification of children as children with disabilities, in particular disability categories, in placement in particular educational settings, or in discipline, the SEA must require the LEA to use the full 15 percent for comprehensive coordinated early intervening services to address the factors contributing to the identified significant disproportionality.

The IDEA requires awards to the Freely Associated States of the Pacific Basin (Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands) to be the same amounts that they received from the fiscal year 2003 appropriation.

The IDEA also authorizes the Department to set aside a portion of the Grants to States appropriation to provide technical assistance to improve the capacity of States to meet data collection requirements necessary for the implementation of the program.

IDEA requires that 1.226 percent of funds appropriated for Grants to States be set aside for the Department of the Interior to meet the need for assistance for the education of children with disabilities on reservations aged 5 through 21, inclusive, enrolled in elementary and secondary schools for Indian children operated or funded by that Department. The maximum amount authorized for fiscal year 2024 is estimated to be approximately \$245 million.

Grants to States is a forward-funded program that includes advance appropriations. A portion of the funds becomes available for Federal obligation on July 1 of the fiscal year in which they are appropriated and remain available for 15 months. The remaining funds become available for

## SPECIAL EDUCATION

### State Grants: Grants to States

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Federal obligation on October 1 of the following fiscal year and remain available for 12 months, expiring at the same time as the forward-funded portion. For fiscal year 2024, school districts will use both the forward- and advance-funded amounts primarily during the 2024-2025 school year.

Both forward-funded and advance funds remain available for obligation at State and local levels for an additional year. Hence, States and LEAs will have until September 30, 2025, to obligate their fiscal year 2024 awards.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$12,364,392
2020	12,764,392
2021	12,937,392
2021 Mandatory ARP Act	2,580,000
2022	13,343,704
2023	14,193,704

### FY 2024 BUDGET REQUEST

For fiscal year 2024, the Administration requests \$16.3 billion for Grants to States, an increase of \$2.1 billion from a fiscal year 2023 appropriation. The request would represent the highest level of funding ever provided under the Grants to States program<sup>1</sup> and would support States and LEAs in providing special education and related services to an estimated 7.5 million students with disabilities nationwide in 2024. The request would also increase the Federal share per child from 12 percent to nearly 13 percent of average per pupil expenditures.

One of the primary objectives of the Grants to States program is to improve the quality of the education provided to children with disabilities so that they can participate in and succeed in the general education curriculum. This includes helping to ensure that eligible children have access to challenging grade-level academic content; meet the same rigorous standards that have been established for all children to help prepare them for college or careers; and are prepared to lead productive, independent adult lives to the maximum extent possible.

The request reflects the Administration's commitment to providing schools with the resources they need to close persistent achievement gaps between students with disabilities and their peers. For example, in school year 2019-20, 71% of students with disabilities graduated high school in four years compared to 87% of all high school students.<sup>2</sup> The 2022 National Assessment of Educational Progress (NAEP) results continue to show significant gaps between students with disabilities and their peers in reading and math as well.<sup>3</sup> The request would provide an average of \$2,171 per child with a disability,<sup>4</sup> an increase of \$263 over the 2023 level, which could be spent on additional staffing, educational programming, or services to help close these achievement gaps. For example, the increased funding could help schools hire over

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<sup>1</sup> Excludes funds made available under the American Recovery and Reinvestment Act of 2009.

<sup>2</sup> [https://nces.ed.gov/ccd/tables/ACGR\\_RE\\_and\\_characteristics\\_2019-20.asp](https://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2019-20.asp)

<sup>3</sup> <https://nces.ed.gov/nationsreportcard/>

<sup>4</sup> This average is based on the assumption that the number of children aged 3 through 21 who will be served will continue to increase through 2024 to approximately 7.5 million.

## SPECIAL EDUCATION

### State Grants: Grants to States

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31,000 additional special education teachers<sup>1</sup> to address the critical staffing needs nearly every State has reported according to the annual Teacher Shortage Areas Report released by the Department.<sup>2</sup>

Number of Children Served - From 1975, when the IDEA was enacted, through 2005, the rate of growth in the number of children with disabilities served outpaced the rate of growth in the general population aged 3 through 21. In the 2004-2005 school year, the number of children reached 6.8 million before beginning a decline through the 2011-2012 school year to a low of 6.5 million. Since that time, the number of children with disabilities served under the IDEA has generally increased, reaching an all-time high of 7.4 million children being served in the 2021-2022 school year. In estimating future trends in the number of children served under the IDEA, the Department uses a rolling three-year average growth rate. Using this methodology, the Department estimates that approximately 7.5 million children with disabilities will be served in fiscal year 2024. The requested increase would therefore support States in meeting the needs of an increasing number of students with disabilities.<sup>3</sup>

In addition to the funds requested under this program, the Administration is dedicated to ensuring school districts have access to all of the resources they need to provide the services to which students with disabilities are entitled, including funds provided under public insurance programs, like Medicaid. As such, in 2023, the Administration intends to issue proposed regulations designed to streamline the process for districts to access Medicaid funds and offset costs for services they are currently providing to students, allowing States and districts to repurpose IDEA funds for other allowable uses under the statute. Additionally, the Department is working closely with the Department of Health and Human Services to issue new guidance and establish a technical assistance center to expand the capacity of State Medicaid agencies, LEAs and other school-based entities to support access to Medicaid-funded school-based services in accordance with the Bipartisan Safer Communities Act.

### Meeting the Federal Funding Commitment

Upon its passage in 1975, section 611 of the Education for All Handicapped Children Act laid out a funding trajectory in which Federal grants would, by 1982, provide each State with an amount of funding equal to 40 percent of the average State per pupil expenditure for each child with a disability. Colloquially termed as “full funding,” the provision signaled an intent for a strong Federal and State partnership in meeting the needs of children with disabilities.<sup>4</sup> Nearly 50 years later, the Federal government has never provided more than 18.5 percent of the average per pupil expenditure.

The \$26 billion gap between current funding levels and “full funding”<sup>5</sup> has real effects on the services available to children with disabilities. The Department estimates that full funding in 2024 would provide, on average, \$5,745 per child with a disability – an increase of \$3,837 over the fiscal year 2023 level. That funding gap alone could support more than 400,000 additional

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<sup>1</sup> This estimate assumes an average wage of \$65,000 per teacher. The 2021 median pay of special education teachers was \$61,820 according to BLS <https://www.bls.gov/ooh/education-training-and-library/special-education-teachers.htm>

<sup>2</sup> <https://tsa.ed.gov/#/reports>

<sup>3</sup> Additional data can be found at: <https://www2.ed.gov/about/reports/annual/osep/index.html>.

<sup>4</sup> Currently, section 611 of the IDEA establishes a State’s maximum award under the Grants to States program as 40 percent of the average per pupil expenditure multiplied by the number of children with disabilities served by a State in 2005, cumulatively adjusted for annual changes in population and poverty.

<sup>5</sup> In FY 2023, “full funding” is estimated to be approximately \$40,464 million.

## SPECIAL EDUCATION

### State Grants: Grants to States

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special education teachers and related services personnel nationwide. Consistent with the Administration's commitment to ensuring States, districts, and schools have the resources they need to serve all children, the Administration supports legislation that achieves full-funding over 10 years such as the IDEA Full Funding Act.

### Promoting Equity in IDEA

The Administration believes that all children, regardless of their race, ethnicity, gender status, family income, national origin, or zip code, should receive the services to which they are entitled under the IDEA. However, research has shown that children of color often are identified at higher rates for special education and related services than their white peers in some disability categories, while also being under identified in other categories, including children with autism. IDEA requires States, on an annual basis, to determine whether there is significant disproportionality in race and ethnicity in the State or the LEAs of the State with respect to the identification (including identification of children with a particular disability), placement in particular education settings, and discipline of students with disabilities. Beginning in 2018, States were required to begin using a standard methodology to make these determinations and, in fiscal year 2020, the Department provided a \$475,000 supplement to the IDEA Data Center to support States in implementing these requirements.

During the 2019-2020 reporting year, 417 LEAs nationwide were identified with significant disproportionality. Thirty-four States and the District of Columbia identified at least one LEA in that year. Of all LEAs identified, 65 were identified on the basis of identification as a child with a disability, 276 on the basis of identification as a child with a particular disability, 24 on the basis of placement in particular educational settings, and 298 on the basis of discipline. In addition, a number of States were identified by the Department as having potential data quality issues.

However, much of the work done thus far has focused on effective collection and analysis of the data to make determinations rather than responding to any identified disproportionalities. Once an LEA is identified as having significant disproportionality, the LEA must conduct a root cause analysis and reserve 15 percent of its IDEA Part B allocation to provide comprehensive coordinated early intervening services (comprehensive CEIS) to students. Moving forward, the Department is committed to making this second phase of the significant disproportionality requirements a major focus in monitoring and technical assistance efforts.

In 2022, the Department began implementing updates to its monitoring protocols to ensure that States are meeting their monitoring and enforcement requirements relative to the significant disproportionality regulations and support future technical assistance efforts. Those updates have been included in Phase 2 of its Differentiated Monitoring and Supports (DMS 2.0) system.

In 2023, the Department will fund a new technical assistance center to support States in improving their collection, analysis, and use of data related to significant disproportionality on the basis of race and ethnicity in the identification, placement, and discipline of children with disabilities. The center will also support States in working with LEAs to conduct root cause analyses and identifying evidence-based practices for the use of funds for comprehensive coordinated early intervening services.

The Department is also in the process of working with States, school districts, and other stakeholders to determine whether additional Federal guidance or technical assistance may be necessary on particular topics, such as IDEA's least restrictive environment requirements.

## SPECIAL EDUCATION

### State Grants: Grants to States

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#### **Supporting Military-Connected Children with Disabilities and Other Highly-mobile Children**

This Administration is dedicated to ensuring that the children of military servicemembers receive access to the best educational supports available and that their academic and social progress are in no way hampered by their parents' service to our Nation. Military-connected children often experience multiple moves, extended separations from family members, fear for their parent's safety during deployment, and other stressors related to the unpredictability of military life. Military-connected children with disabilities face additional challenges in their education, especially around permanent change of station transitions. Many military families who move regularly find that it can be challenging to transfer an IEP from school to school. We know that 55 percent of military-connected parents surveyed in a recent study<sup>1</sup> reported a loss of resources and support for their child with disabilities and 42 percent of military-connected parents of children reported that their child's IEP was either changed or not implemented upon arrival at a new duty station.

The Administration is committed to addressing the challenges that military children with disabilities face when transitioning between schools. As such, the Department, within the Biden-Harris Administration report titled Strengthening America's Military Families<sup>2</sup> released in September 2021, committed to collaborating across Federal agencies to address the needs of military families.

In addition to military-connected children, many other highly-mobile children, including children experiencing homelessness, in foster care and children of migratory agricultural workers, frequently change schools. Disruptions in the provision of special education services for highly-mobile children with disabilities when they transition schools negatively impacts academic and developmental outcomes for already at-risk children. Therefore, the Administration is also committed to assisting highly-mobile children with disabilities and their families to ensure continuous access to high-quality services.

The Request includes more than \$20 million in new investments under Part D of the IDEA to meet the needs of military-connected and other highly-mobile children with disabilities. Under the Technical Assistance and Dissemination program, the Request invests \$6 million to establish model demonstration projects designed to build evidence on the most effective ways of meeting the educational needs of military-connected children with disabilities. Under the Educational Technology, Media, and Materials program, the Request invests \$10 million to develop innovative technology tools to support the seamless and efficient transfer of IEP documentation between school districts and to support the short-term provision of services for students in transition. Under the Parent Information Centers program, the Request invests \$4 million in a new technical assistance center to support parents and families of military-connected and other highly-mobile children with disabilities to help them effectively advocate on behalf of their students and ensure they receive the services to which they are entitled under the IDEA.

#### **Keeping Our Students Safe**

Data from the 2017-2018 school year show that 77 percent of all seclusions and 80 percent of all physical restraints were utilized with students with disabilities representing only about

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<sup>1</sup> [https://www.militarychild.org/upload/files/MCEC\\_2020EdSurvey\\_digital.pdf](https://www.militarychild.org/upload/files/MCEC_2020EdSurvey_digital.pdf)

<sup>2</sup> [https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening\\_Americas\\_Military\\_Families.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening_Americas_Military_Families.pdf)

## SPECIAL EDUCATION

### State Grants: Grants to States

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13 percent of the total student population. The Department is deeply concerned that the use of such practices may violate students' civil rights and deny them access to FAPE in the least restrictive environment, and may, in extreme circumstances, put children in physical danger or cause death. The Administration supports the goals of the proposed Keeping All Students Safe Act and intends to issue updated guidance on the use of seclusion and restraint for children with disabilities. In addition, the Department is leveraging a wide range of investments under the Technical Assistance and Dissemination program to support efforts to limit the use of seclusion and physical restraint, reduce exclusionary discipline practices, and promote positive behavioral interventions and supports in schools.

### Creating a Seamless Birth Through Five System

Rapid brain growth in the early childhood years sets the foundation for future learning and development and can greatly impact children's functioning across multiple domains. Effectively serving children during this period can improve academic and developmental outcomes as well as reduce the need for more extensive services during elementary and secondary school.

There has been a longstanding, nationwide concern about effective coordination of services for children with disabilities birth through age five. Currently, these children are served by a host of local, State, and Federal programs, each with its own governance structures, funding streams, service delivery models, personnel, system requirements, eligibility requirements, and services, which can make it difficult to provide seamless services for young children with disabilities and their families.

Coordination and seamless transition between services under IDEA Part C and Part B can be challenging – a fact Congress itself recognized in providing States with the flexibility to continue Part C services for children for a period of time beyond age three.

Federal and State fragmentation creates significant challenges for families seeking to ensure access to and continuity of services for their children. During the first five years of their child's life – already a challenging time for any parent – families must learn to navigate multiple service delivery systems, often with different entry points, service locations, and points of contact. Transitions between programs and services have the potential to cause gaps in service provision for young children and their families as they wait for new services to be established between systems. Additionally, children may lose services as they transition between programs due to varying eligibility requirements.

A more seamless early childhood system could improve program administration and integration for States, school districts, and early intervention service providers while improving outcomes and access for children with disabilities. Therefore, the Administration seeks to solicit input and from a wide range of experts on the development and implementation of a cohesive birth through five system for children with disabilities which offers coordinated, efficient, and effective services. The 2024 request includes appropriations language which would allow the Secretary to reserve up to \$5 million to support such an analysis. The Administration will also work to ensure that the \$500 million in proposed funding for a Preschool Incentive Demonstration Program addresses the needs of students with disabilities, including in transitions to preschool and from preschool to kindergarten.

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#### Meeting Critical Personnel Needs

The most critical element to any student’s success, particularly students with disabilities, is access to highly effective teachers and service providers. For far too long, States, districts, schools, and classrooms have not had access to nearly enough special education teachers and related service providers, and those shortages only expanded as a result of the COVID-19 pandemic, which accelerated retirements and limited onboarding understaff. That is why the Budget proposes more than doubling funding under the Personnel Preparation program to support the training of new teachers and related service providers. New grants under that program would also provide renewed focus on early numeracy and literacy to ensure students receive the early supports they need to be successful while also continuing to ensure a strong pipeline of personnel with the knowledge and skills to provide effective related services to children who need them, like those with speech-language disabilities. The Budget also proposes an additional \$15 million for the State Personnel Development Program to support the recruitment and retention of special education personnel.

#### Additional Fiscal Year 2024 Proposed Appropriations Language

The Administration is also proposing to continue appropriations language provided in previous years regarding State Maintenance of Effort (MOE) requirements, the technical assistance set-aside under section 616(i) of the IDEA, the allocation provided to the Department of the Interior, and providing States with greater flexibility to more efficiently distribute funds they reserve for Other State-level Activities.

### PROGRAM OUTPUT MEASURES

(dollars in thousands)

Output Measures	2022	2023	2024
Formula grants:			
Formula grants to States	\$13,178,619	\$14,022,249	\$16,084,311
Formula grants to Outlying Areas	\$38,500	\$38,500	\$45,600
Grants to Freely Associated States	\$6,579	\$6,579	\$6,579
Department of the Interior	\$100,006	\$106,376	\$109,803
Subtotal, formula grants	<u>\$13,323,704</u>	<u>\$14,173,704</u>	<u>\$16,239,193</u>
Technical Assistance	\$20,000	\$20,000	\$20,000
Total	\$13,343,704	\$14,193,704	\$16,259,193,
Number of children with disabilities served ages 3 through 21 <sup>1</sup>	7,352,816	7,429,217	7,480,692
Average Federal share per child (whole dollars) <sup>1</sup>	\$1,812	\$1,908	\$2,171
Average per pupil expenditure (APPE) (whole dollars) <sup>1</sup>	\$14,883	\$15,815	\$17,040
Federal funding as a percentage of APPE <sup>1</sup>	12.2%	12.1%	12.7%

<sup>1</sup> Estimate.

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#### Basis for Leaving Special Education for Youth with Disabilities Ages 14 and Older

Basis:	School Year	School Year	School Year	School Year	School Year	School Year
	2017-2018	2017-2018	2018-2019	2018-2019	2019-2020	2019-2020
	Percent	Number	Percent	Number	Percent	Number
Graduating with regular diploma	47.5%	300,447	47.1%	301,435	52.21%	325,051
Graduating through certification	6.4%	40,312	6.6%	42,533	6.82%	42,485
Transferred to regular education	9.5%	60,189	9.0%	57,329	8.09%	50,364
Dropped out, or moved but not known to have continued in education	10.4%	66,113	10.7%	68,711	8.65%	53,836
Moved, but known to have continued in education	25.2%	159,302	25.6%	163,614	23.41%	145,732
Reaching maximum age for services and other reasons	1.0%	6,383	0.7%	4,667	0.83%	5,172
<b>Total</b>	<b>100.0%</b>	<b>632,746</b>	<b>100.0%</b>	<b>639,790</b>	<b>100.00%</b>	<b>622,640</b>

Source: Annual data collection from States by OSERS and through the Education Data Exchange Network (EDEN)/EDFacts.

NOTE: Percentages may not add to 100 percent due to rounding. Data for the 2020-2021 school year is expected to be available in summer 2023.

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#### History of Children Served and Program Funding

Fiscal Year	Children Served (thousands)	Appropriation (dollars in thousands)	Federal Share Per Child (whole dollars)	Percentage of APPE
1992	4,727	\$1,976,095	418	8%
1993	4,896	2,052,728	419	8%
1994	5,101	2,149,686	421	8%
1995	5,467	2,322,915	425	8%
1996	5,629	2,323,837	413	7%
1997	5,806	3,107,522	535	9%
1998	5,978	3,807,700	636	11%
1999	6,133	4,310,700	701	11%
2000	6,274	4,989,685	793	12%
2001	6,381	6,339,685	991	14%
2002	6,483	7,528,533	1,159	15%
2003	6,611	8,874,398	1,340	17%
2004	6,723	10,068,106	1,495	18%
2005 <sup>1</sup>	6,820	10,589,746	1,558	18%
2006 <sup>1</sup>	6,814	10,582,961	1,551	18%
2007 <sup>1</sup>	6,796	10,782,961	1,584	17%
2008 <sup>1</sup>	6,718	10,947,511	1,609	17%
2009 <sup>1</sup>	6,599	11,505,211	1,742	17%
2009 ARRA <sup>1</sup>	6,599	11,300,000	1,711	16%
2010 <sup>1</sup>	6,614	11,505,211	1,736	16%
2011 <sup>1</sup>	6,558	11,465,960	1,745	16%
2012 <sup>1</sup>	6,543	11,577,855	1,766	16%
2013 <sup>1</sup>	6,574	10,974,866	1,674	15%
2014 <sup>1</sup>	6,593	11,472,848	1,743	16%
2015 <sup>1</sup>	6,697	11,497,848	1,715	15%
2016 <sup>1</sup>	6,814	11,812,848	1,745	15%
2017 <sup>1</sup>	6,808	12,002,848	1,760	15%
2018 <sup>1</sup>	6,904	12,277,848	1,775	14%
2019 <sup>1</sup>	7,130	12,364,392	1,731	13%
2020 <sup>1</sup>	7,278	12,764,392	1,752	13%
2021 <sup>1</sup>	7,214	12,937,457	1,735 <sup>2</sup>	13% <sup>2</sup>
2021 ARP Act <sup>1</sup>	7,214	2,580,000	347 <sup>2</sup>	2% <sup>2</sup>
2022 <sup>1</sup>	7,352	13,343,704	1,812 <sup>2</sup>	12% <sup>2</sup>
2023 <sup>1</sup>	7,429 <sup>2</sup>	14,193,704	1,907 <sup>2</sup>	12% <sup>2</sup>
2024 <sup>1</sup>	7,481 <sup>2</sup>	16,259,193	2,171 <sup>2</sup>	13% <sup>2</sup>

NOTE: The Federal share per child is calculated from IDEA Part B Grants to States funding, excluding amounts available for studies and evaluations or technical assistance, as applicable.

<sup>1</sup> Appropriation includes \$10,000 thousand for technical assistance activities in 2005, \$15,000 thousand in 2006 through 2009 and 2014, \$25,000 thousand in 2010 through 2012, \$23,693 thousand in 2013, \$13,000 thousand in 2015, \$20,000 thousand in 2016, \$21,400 thousand in 2017, \$21,000 thousand in 2018, \$20,000 thousand in 2019, \$10,000 thousand in 2020, \$15,000 thousand in 2021, and \$20,000 thousand in 2022 through 2024.

<sup>2</sup> Estimate

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## PROGRAM PERFORMANCE INFORMATION

### Performance Measures

This section presents selected program performance information, including, for example, GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: Ensure all children with disabilities served under the IDEA have available to them a free appropriate public education to help them meet challenging standards and prepare them for independent living and postsecondary education and/or competitive employment by assisting State and local educational agencies and families.**

**Objective:** *All children with disabilities will meet challenging standards as determined by national and State assessments with accommodations as appropriate.*

### National Assessment of Educational Progress Measures

**Measure:** The percentage of fourth-grade students with disabilities scoring at or above Basic on the National Assessment of Educational Progress (NAEP) in reading.

Year	Target	Actual
2011	39%	32%
2013	40	31
2015	40	33
2017	40	32
2019	40	30
2022	40	27

**Measure:** The percentage of eighth-grade students with disabilities scoring at or above Basic on the NAEP in mathematics.

Year	Target	Actual
2011	37%	35%
2013	38	34
2015	38	32
2017	38	30
2019	38	32
2022	38	23

**Additional information:** As defined for purposes of NAEP, “students with disabilities” includes any student classified by a school as having a disability, including children who receive services under a Section 504 plan.

Students with disabilities score well below other students on NAEP assessments. On the 2022 fourth grade reading assessment, only 27 percent of students with disabilities scored at or above Basic, while 68 percent of other students scored at or above Basic. On the 2022 math

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assessment, only 23 percent of eighth graders with disabilities scored at or above Basic, while 67 percent of other eighth-grade students scored at or above Basic.

#### Elementary and Secondary Education Measures

Data on the following measures are collected annually through the Education Data Exchange Network (EDEN) and made available through ED*Facts*. The first two measures focus on the achievement of students with disabilities on State reading and mathematics assessments. The next two measures focus on the achievement gaps between students with disabilities and other students based on those State assessments. The last measure focuses on graduation rates of students with Individualized Education Programs (IEPs).

**Measure:** The percentage of students with disabilities in grades 3-8 scoring at the proficient or advanced levels on State reading assessments.

Year	Target	Actual
2019	Baseline	Not available
2020	35%	Not available
2021	35	
2022	35	
2023	35	
2024	35	

**Measure:** The percentage of students with disabilities in grades 3-8 scoring at the proficient or advanced levels on State mathematics assessments.

Year	Target	Actual
2019	Baseline	Not available
2020	35%	Not available
2021	35	
2022	35	
2023	35	
2024	35	

**Measure:** The difference between the percentage of students with disabilities in grades 3-8 scoring at the proficient or advanced levels on State reading assessments and the percentage of all students in grades 3-8 scoring at the proficient or advanced levels on State reading assessments.

Year	Target	Actual
2019	Baseline	Not available
2020	20	Not available
2021	20	
2022	20	
2023	20	
2024	20	

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**Measure:** The difference between the percentage of students with disabilities in grades 3-8 scoring at the proficient or advanced levels on State mathematics assessments and the percentage of all students in grades 3-8 scoring at the proficient or advanced levels on State mathematics assessments.

Year	Target	Actual
2019	Baseline	Not available
2020	20	Not available
2021	20	
2022	20	
2023	20	
2024	20	

**Additional information:** High-quality, representative data were not available for 2019 or 2020. Due to the circumstances created by the COVID-19 pandemic, ED waived the reporting of the statewide assessments in the 2019-2020 school year and encouraged states to consider flexibilities regarding the timing, length, and type of administration of assessments in the 2020-2021 school year. The Department hopes to report data on these measures again next year.

**Measure:** The percentage of students with Individualized Education Programs (IEPs) who graduate from high school with a regular high school diploma.

Year	Target	Actual
2019	72.0%	Not available
2020	72.0	Not available
2021	75.0	
2022	75.0	
2023	75.0	
2024	75.0	

**Additional information:** High-quality, representative data were not available for 2019 or 2020. Due to the circumstances created by the COVID-19 pandemic, ED waived the reporting of the statewide assessments in the 2019-2020 school year and encouraged states to consider flexibilities regarding the timing, length, and type of administration of assessments in the 2020-2021 school year. The Department hopes to report data on these measures again next year.

### Postsecondary Outcomes

One of the purposes of the IDEA is to help prepare children with disabilities for further education, employment, and independent living. In 2011, the Department developed a measure on employment and postsecondary education. This measure tracks the median percentage of students who are no longer in secondary school who had IEPs in effect at the time they left school, and were: a) enrolled in higher education within 1 year of leaving high school; b) enrolled in higher education or were competitively employed within 1 year of leaving high school; or, c) enrolled in postsecondary education or training program, or were competitively employed or in some other form of employment within 1 year of leaving high school. Data for this measure is collected directly from the States on an annual basis. The Department believes that this is a critical measure for the program because it reflects the ultimate results of efforts to provide special education under the Grants to States program.

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**Measure:** The median percentage of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within 1 year of leaving high school.

Year	Target	Actual
2019	80.0%	76.2%
2020	80.0	73.7
2021	80.0	
2022	80.0	
2023	80.0	
2024	80.0	

**Additional information:** Performance on this measure was relatively consistent from 2015 through 2019 before decreasing in 2020.

### Efficiency Measure

**Measure:** The average number of days between the completion of a site visit and the Office of Special Education Programs' (OSEP) response to the State.

Year	Target	Actual
2019		257
2020		407
2021		
2022	180	230
2023	180	
2024	180	

**Additional information:** No site visits were conducted in 2021 due to the COVID-19 pandemic.

### Other Performance Information

#### IDEA National Assessment

Section 664 of the IDEA requires the Department to conduct a national assessment of activities carried out with Federal funds. To implement this requirement, funds requested for the Special Education Studies and Evaluation program in the Institute of Education Sciences (IES) account were used to conduct an independent evaluation of the program. This evaluation addresses the extent to which States, districts, and schools are implementing the IDEA programs and services to promote a free appropriate public education for children with disabilities in the least restrictive environment possible and in partnership with parents. The National Assessment also addressed the effectiveness of the IDEA programs and services in promoting the developmental progress and academic achievement of children with disabilities. The National Assessment includes the following activities:

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Analytic Support: A report published in January 2010, “Patterns in the Identification of and Outcomes for Children and Youth with Disabilities (Patterns),”<sup>1</sup> provided a synthesis of existing evidence and new analyses of extant data sources to address research questions for the IDEA National Assessment, targeting three topic areas: (1) identification of children for early intervention and special education, (2) declassification of children for early intervention and special education services, and (3) developmental and academic outcomes for children with disabilities.

From 1997 to 2005, the percent of children aged 6 to 17 served under IDEA increased from 12.3 to 12.9. The percentage varies by race/ethnicity, with a low of 6.3 percent for Asian children served under IDEA up to a high of 16.7 percent for Black children. There is also variation by State, ranging from 9.9 percent up to 18.6 percent. From 1997 to 2005, the largest increases by disability type were in the areas of autism and developmental delay. Autism showed a 400 percent increase among children ages 10 to 17 years, and developmental delay showed an almost 2,000 percent increase among children ages 3 to 9 years. The study cited research on declassification (Holt, McGrath, and Herring 2007) that showed almost 50 percent of children eligible in kindergarten were no longer eligible for services by third grade. Children with speech/language impairment are the most likely to be declassified within 2 years (34 percent). Declassified children had higher literacy and math outcomes than children who continued to receive services under IDEA.

The Patterns study found that children with disabilities were performing well on NAEP tests, but that they are still far behind their non-disabled peers. Children with disabilities demonstrate a much larger range of performance on the NAEP exam than do children without disabilities. State assessment data point to a wide array of outcomes and standards for proficiency. In fourth grade math and reading, the percentage of children with disabilities who scored proficient or above on a State’s assessment ranged from just less than 10 percent up to 80 percent.

Implementation Study: The final report for the IDEA National Assessment Implementation Study was published in July 2011. This study collected data from State agencies and school districts to address implementation questions for the IDEA National Assessment in four broad areas targeted for this study: (1) services to young children with disabilities; (2) identification of children and youth with disabilities; (3) efforts to promote positive developmental and educational outcomes for children and youth with disabilities; and (4) dispute resolution and mediation.

The study specifically focused on implementation related to new or revised provisions from the 2004 reauthorization of IDEA. One such provision, Coordinated Early Intervening Services (CEIS), allows districts to use up to 15 percent of their Part B funds to provide services to children not yet identified as in need of special education. Of the districts that implement CEIS, funds were used at the elementary school level in 93 percent of districts and focuses on literacy instruction in 84 percent of districts. The study found that the use of Response to Intervention (RtI) was also widespread and was being used in 71 percent of districts nationally. Similar to CEIS, RtI was most commonly used in elementary schools and in reading/language arts. However, only 41 percent of districts reported using IDEA funds for RtI, while 80 percent of districts reported using their own general funds.

The study looked at qualifications and distribution of “highly qualified” special education personnel. Almost 90 percent of special education teachers met their State’s definition of highly

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<sup>1</sup> See <http://ies.ed.gov/ncee/pubs/20104005/index.asp>

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qualified, but States range from 56 percent to 100 percent.<sup>1</sup> Districts reported difficulty finding qualified personnel for secondary schools, particularly those trained in math and working with students with emotional disturbances and with autism. The most common method districts used to increase the qualifications of their staff, implemented by 64 percent of all districts and 76 percent of districts facing routine shortages of quality applicants, was to provide professional development. No other approach was used by more than 25 percent of districts.

Finally, the study found that dispute resolution events were very infrequent, with 23 or fewer events for every 10,000 students served between 2004 and 2008. The number of due process hearing requests over that time was steady at about 21 requests per 10,000 students, but the frequency of due process hearings completed decreased from 3.36 hearings per 10,000 students in 2004 to 1.61 hearings in 2008.

Impact Evaluation of Response to Intervention Strategies: Response to Intervention (RtI) is a multi-step approach to providing early and more intensive intervention and monitoring within the general education setting. In principle, RtI begins with research-based instruction and behavioral support provided to students in the general education classroom, followed by screening of all students to identify those who may need systematic progress monitoring, intervention, or support. Students who are not responding to the general education curriculum and instruction are provided with increasingly intense interventions through a "multi-tiered" system, and they are frequently monitored to assess their progress and inform the choice of future interventions, including possibly special education for students determined to have a disability. The IDEA permits some Part B special education funds to be used for "early intervening services" such as RtI and also permits districts to use RtI to inform decisions regarding a child's eligibility for special education.

The RtI evaluation employed a quasi-experimental design to examine the natural variations in elementary school reading instruction, intervention, and support in schools that may already be implementing RtI in 13 States. We note that concerns have been raised in the field regarding the strength of the research design of this study, particularly its focus on students just below reading proficiency, and not those with moderate or significant needs.

The final report found that, for the 2011-12 school year, schools implementing three or more years of RtI approaches in reading provided more support to students reading below grade-level standards than those reading at or above grade-level standards. For those students reading just below the grade-level standards (as measured by a school-determined eligibility cut point on a screening test) in grade 1, RtI reading interventions did not improve reading outcomes, but actually produced negative impacts (e.g., lower scores compared to the initial screening test) for such students. For grades 2 and 3, the estimated effects on reading outcomes were not statistically significant. Researchers stated that some plausible factors that may be related to negative impacts of assignment to intervention on some grade 1 students include: (1) false or incorrect identification of students for intervention, (2) mismatch between reading intervention and the instructional needs of students near the cut point, and (3) poor alignment between reading intervention and core reading instruction. Overall, the study found that the estimated impacts of reading interventions on reading outcomes vary significantly across schools. It is also worth noting that this study focused on a very specific population in one subject area and did not assess whether RtI may be effective in improving student outcomes in other subject

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<sup>1</sup> State definitions of highly qualified special education teacher varied, meaning differences in percentage of teachers meeting the definition may be driven by differences in definitions rather than variations in teacher preparation.

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areas and grade levels, or whether RtI elementary literacy interventions may be effective for students performing well below grade-level standards.

Other Studies: The Department sponsored the National Longitudinal Transition Study (NLTS) and the National Longitudinal Transition Study-2 (NLTS2) to provide nationally representative information about secondary-school-age youth who were receiving special education services in 1985 and 2000, respectively. Data collection consisted of telephone interviews or mail surveys with youth or the youth's parents if the youth were not able to respond themselves. The National Center for Special Education Research (NCSER), in a September 2010 report, "Comparisons Across Time of the Outcomes of Youth With Disabilities up to 4 Years After High School", compared the changes in outcomes among youth in the NLTS and NLTS2 who had been out of high school for up to 4 years. The report focused on changes in rates of postsecondary education, employment, engagement in either postsecondary education or employment, household circumstances and community integration. Researchers also compared outcomes of youth with disabilities to the general population and across subgroups including disability category, gender, race/ethnicity, household income, high school completion status, and length of time since leaving high school.

According to the NCSER report, youth with disabilities were more likely to have enrolled in postsecondary education within 4 years of leaving high school in 2005 than in 1990. Almost half (46 percent) of all youth with disabilities had spent some time in postsecondary education in 2005. The rate of youth with disabilities who were currently enrolled in postsecondary education and/or employed was 86 percent in 2005, a 21 percentage-point increase over 1990. This increase is likely attributable to an increase in youth who were concurrently enrolled in postsecondary education and employed, given that rates of engagement in only one of these activities did not change significantly over that period of time. The report also illustrated the connection between high school completion and postsecondary outcomes, as high school completers had significant and positive changes between 1990 and 2005 in a greater number of outcome measures than non-completers. Youth with disabilities from low-income households increased their postsecondary enrollment rate by 16 percentage points to 35 percent in 2005, but a significant enrollment gap remains between the highest and lowest income households. Similarly, in 2005, youth with disabilities enrolled in postsecondary education at a rate well below the general population, specifically, 46 percent compared to 63 percent.

The National Longitudinal Transition Study 2012 (NLTS 2012) is the third in a series examining the characteristics and school experiences of a nationally representative sample of youth with disabilities. NLTS 2012 focuses on students ages 13 to 21 (in December 2011) but also includes a small sample of students without disabilities and those on 504 plans to enable direct comparisons of students with and without individualized education programs (IEPs). The study collected baseline data in the spring of 2012 through the summer of 2013 on a nationwide sample of youth. The study is addressing such questions as:

- What are the personal, family, and school characteristics of youth with disabilities in public schools across the country?
- What regular education, special education, transition planning, and other relevant services and accommodations do youth with disabilities receive?
- How do the services and accommodations differ from those of youth not served under IDEA, including those identified for services under Section 504 of the Rehabilitation Act?

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- How do the services and accommodations for youth with disabilities vary with the characteristics of youth?
- How much have the services and accommodations of youth with disabilities changed over time?

Post-High School Outcomes for Youth with Disabilities: Helping students, particularly those with disabilities, to complete high school prepared to pursue postsecondary education or begin well-paying, productive jobs is a national priority. IDEA emphasizes transition services focused on improving the academic and functional achievement of students with disabilities to facilitate their transition from school to post-school activities, including postsecondary education and employment. The study, awarded in 2015, will address such questions as:

- To what extent do youth with disabilities who receive special education services under IDEA make progress through high school compared with other youth, including those identified for services under Section 504 of the Rehabilitation Act? For students with disabilities, has high school course taking and completion rates changed over the past few decades?
- Are youth with disabilities achieving the post-high school outcomes envisioned by IDEA, and how do their college, training, and employment rates compare with those of other youth?
- How do these high school and postsecondary experiences and outcomes vary by student characteristics, including their disability category, age, sex, race/ethnicity, English Learner status, income status, and type of high school attended (including regular public school, charter school, career/technical school, special education school, or other State or Federally operated institution)?

This study used administrative records data to follow a sample of youth with disabilities beyond high school. The sample for this study will focus on the youth who participated in the baseline study of the National Longitudinal Transition Study 2012 (NLTS 2012). The NLTS 2012 sample included a group of over 12,000 students ages 13 to 21 (in December 2011), including a small sample of students without disabilities.

Study of School Accountability for Students with Disabilities: As part of the IDEA National Assessment, IES studied changes in student outcomes after schools adopted programs focused on improving academic outcomes for students with disabilities. The focus of the study was on comparing outcomes for students with disabilities in elementary and middle schools identified for improvement with corresponding outcomes in schools not identified for improvement but still accountable for the performance of students with disabilities (SWD).

An interim report was released in May 2012; an update with information through the 2009–10 school year was released in October 2013; and a third report that provided the results of analysis of 2011 survey data on school practices in 12 States was released in February 2015 and is available at <http://ies.ed.gov/ncee/pubs/20154006/>. The study found that, when surveyed in 2011, elementary schools accountable for the SWD subgroup were 15.8 percentage-points more likely than elementary schools that were not accountable to report moving students with disabilities from self-contained settings to regular classrooms over the previous 5 years. Middle schools accountable for the SWD subgroup were 16.7 percentage-points more likely than middle schools that were not accountable to report moving students with disabilities from self-contained settings to regular classrooms over the previous 5 years.

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### **State grants: Preschool grants**

(Individuals with Disabilities Education Act, Part B, Section 619)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

<u>2023 Appropriation</u>	<u>2024 Request</u>	<u>Change</u>
\$420,000	\$502,620	+\$82,620

### **PROGRAM DESCRIPTION**

The Preschool Grants program provides formula grants to States, the District of Columbia, and Puerto Rico for the provision of special education and related services for children with disabilities aged 3 through 5. In order to be eligible for these grants, States must serve all eligible children with disabilities aged 3 through 5 and have an approved application under Part B of the Individuals with Disabilities Education Act (IDEA). Currently, all States have provided assurances to the Department that they are making a free appropriate public education (FAPE) available to all children aged 3 through 5 with disabilities.

At their discretion, States may include preschool-aged children who are experiencing developmental delays (as defined by the State and as measured by appropriate diagnostic instruments and procedures) and need special education and related services. If consistent with State policy, State and local educational agencies also may use funds received under this program to provide FAPE to 2-year-olds with disabilities who will turn 3 during the school year.

IDEA requires that, to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities. Removal of children with disabilities from the regular educational environment is only warranted when the nature or severity of the disability of a child is such that education in classes with students without disabilities, even with the use of supplementary aids and services, is not possible. Since States are not required to provide public preschool programs for the general population, preschool-aged children with disabilities are served in a variety of settings, including public or private preschool programs, inclusive kindergarten, Head Start programs, and childcare facilities. The Preschool Grants program expands inclusive and accessible options to preschool for children with disabilities and provides specific services.

### **Funding Formula**

Funds are distributed to eligible entities through a formula based on general population and poverty. Each State is first allocated an amount equal to its fiscal year 1997 allocation. For any year in which the appropriation is greater than the prior year level, 85 percent of the funds above the fiscal year 1997 level are distributed based on each State's relative percentage of the

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

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total number of children aged 3 through 5 in the general population. The other 15 percent are distributed based on the relative percentage of children aged 3 through 5 in each State who are living in poverty. The formula provides several floors and ceilings regarding the amount a State can receive in any year. When appropriations increase, no State can receive less than it received in the prior year. In addition, every State must receive an increase equal to the higher of either: (1) the percent the appropriation grew above the prior year, minus 1.5 percent, or (2) 90 percent of the percentage increase above the prior year. The formula also provides for a minimum increase in State allocations of one-third of 1 percent of the increase in the appropriation over the base year and places a ceiling on how much the allocation to a State may increase. Specifically, no State may be allocated an increase above the prior year greater than the percent of growth in the appropriation from the prior year plus 1.5 percent.

These provisions help ensure that every State receives a part of any increase, and that there are no sudden shifts in resources among the States. States must distribute the bulk of their grant awards to local educational agencies (LEAs). In fiscal year 2023, approximately \$313.1 million (75 percent) of the available appropriation will be distributed to LEAs.

This is a forward-funded program. Funds become available for obligation on July 1 of the fiscal year in which they are appropriated and remain available for 15 months, through September 30 of the following year.

### State-Level Activities

States may retain a portion of funds allocated to them in any given year for State-level activities, with the amount of this reservation capped at 25 percent of each State's fiscal year 1997 allocation, adjusted upward by the lesser of the rate of increase in the State's allocation or the rate of inflation. Likewise, the amount that may be used for administration is limited to 20 percent of the funds available to a State for State-level activities. These funds may also be used for the administration of the Grants for Infants and Families program (Part C).

State-level activities include: (1) support services, such as establishing and implementing a mediation process, which may benefit children with disabilities younger than 3 or older than 5, as long as those services also benefit children with disabilities aged 3 through 5; (2) direct services for children eligible under this program; (3) activities at the State and local level to meet the goals established by the State for the performance of children with disabilities in the State; and (4) a supplement for the development and implementation of a statewide coordinated services system designed to improve results for all children and families or caregivers, including children with disabilities and their families or caregivers. This supplement cannot exceed 1 percent of the amount received by the State under this program for a fiscal year. The State may also use its set-aside funds to provide early intervention services. These services must include an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills. In addition, such services must be provided, in accordance with the Grants for Infants and Families program, to children who are eligible for services under the Preschool Grants program and who previously received services under Part C until such children enter or are eligible to enter kindergarten and, at a State's discretion, may include continued service coordination or case management for families who received such services under Part C.

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#### Numbers of Children Served

The number of children ages 3 through 5 served under the IDEA in fall 2020 was 471,377. This is the most recent year of data available to the Department and therefore the figure used to estimate the number of children with disabilities ages 3 through 5 served in fiscal years 2022 through 2024. However, given the COVID-19 pandemic-related disruptions that occurred in fall 2020, the Department expects that the actual number of students served will be higher in these fiscal years when updated enrollment data become available.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$391,120
2020	394,120
2021	397,620
2021 Mandatory ARP Act	200,000
2022	409,549
2023	420,000

#### FY 2024 BUDGET REQUEST

For fiscal year 2024, the Administration requests \$502.6 million for the Preschool Grants program, \$82.6 million more than a fiscal year 2023 appropriation. More than 80 percent of children exiting the Preschool program in 2019-2020 demonstrated significant improvement in academic, behavioral and social and emotional outcomes, which is consistent with numerous studies that have found that the provision of special education and related services for preschool-aged children significantly improved outcomes in these areas.<sup>1</sup> The request would provide an estimated average of \$1,066 per eligible child, the highest level of per child funding under this program through regular appropriations in almost 30 years. The requested \$82.6 million increase could support over 1,300 additional preschool special education teachers.<sup>2</sup> These funds supplement funding available under the Grants to States program under IDEA, Part B, for which the Administration is requesting \$16.3 billion in fiscal year 2024, to help States and LEAs serve children with disabilities ages 3 through 21.

#### Promoting Equity in IDEA

The Administration believes that all children, regardless of their race, ethnicity, family income, national origin, zip code, or any other such characteristic, should receive the services to which they are entitled under the IDEA. However, research has shown that children of color often are identified at higher rates for special education and related services, placed in more restrictive environments, and subjected to exclusionary discipline at higher rates than their white peers. IDEA requires each State, on an annual basis, to determine whether there is significant disproportionality based on race and ethnicity in the State, or the LEAs of the State, with respect to the identification, placement, and discipline of students with disabilities. Beginning in 2018, States were required to begin using a standard methodology to make these determinations and,

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<sup>1</sup> [https://ectacenter.org/~pdfs/topics/inclusion/research/Research\\_Supporting\\_Preschool\\_Inclusion\\_R.pdf](https://ectacenter.org/~pdfs/topics/inclusion/research/Research_Supporting_Preschool_Inclusion_R.pdf)

<sup>2</sup> <https://www.bls.gov/ooh/education-training-and-library/special-education-teachers.htm>

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in fiscal year 2020, the Department provided a \$475,000 supplement to the IDEA Data Center to support States in implementing these requirements. Beginning in 2020, States were required to begin including children ages three through five in these calculations. Additionally, starting in fiscal year 2023, the Department will fund an Equity Technical Assistance Center that supports States and districts in assessing data to determine whether there is significant disproportionality in race and ethnicity with respect to the identification (including identification of children with disabilities), placement in particular education settings, and discipline of students with disabilities consistent with IDEA requirements.

In addition to the supports and technical assistance described under the Grants to States program, the Department updated its monitoring protocols to provide greater emphasis on State implementation of the significant disproportionality requirements with regard to children ages 3 through 5 to ensure compliance and support future technical assistance efforts. As noted in the Grants to States request, the Department is also revising its annual information collections to include additional information related to equitable services for preschool age children.

### Providing Safe and Inclusive Classrooms

The Administration believes that all students deserve equal and equitable access to the learning environment and is particularly concerned about the harms that arise when preschool children face exclusionary discipline (including in-school suspensions, out-of-school suspensions, and expulsions). Research shows that exclusionary discipline is both ineffective and disproportionately affects children with disabilities and children of color. During the 2017-2018 school year, preschoolers with disabilities represented almost one in four out-of-school suspensions among preschoolers, and, among those receiving suspensions, were more likely to receive multiple out-of-school suspensions than their peers without disabilities. Research shows that these disparities can often be the result of perceptions of student behavior rather than actual behavior by the student.<sup>1</sup> The Department will work to reduce exclusionary discipline practices and replace such practices with research-based approaches, including positive behavioral interventions and supports and restorative measures.

To support LEAs and schools in keeping students in the classroom and identifying and implementing effective and evidence-based ways to ensure a safe learning environment for all students, the Department will continue to leverage a wide range of investments under the Technical Assistance and Dissemination program (described elsewhere in this account) on activities designed to limit the use of seclusion, physical restraint, and other exclusionary discipline practices by investing in both the National Technical Assistance Center on Positive Social, Emotional, and Behavioral Outcomes for Students with Disabilities and the National Technical Assistance Center on Positive Behavior Interventions and Supports. These investments also will promote positive behavioral interventions and supports in schools. The Department believes that these targeted investments and updated guidance can support more effective discipline practices and their equitable application and ensure that all students have equitable access to classroom activities and instruction.

The Department also updated its monitoring protocols to ensure that States are meeting their monitoring and enforcement requirements relative to early childhood discipline practices.

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<sup>1</sup> Gilliam, W., Maupin, A., Reyes, C., Accavitti, M., & Shic, F. (2016). Do early educators' implicit biases regarding sex and race relate to behavior expectations and recommendations of preschool expulsions and suspensions? New Haven, CT: Yale University Child Study Center, 1-18.

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#### Improving Child Find Practices

In addition to the steps noted above, the Department has implemented updates to its monitoring protocols to strengthen the examination of child find systems to ensure that all potentially eligible children are identified and evaluated, particularly those in underserved populations and those with less access to or interaction with traditional referral sources, such as doctors and daycare providers.

#### **PROGRAM OUTPUT MEASURES**

(dollars in thousands)

Output Measures	2022	2023	2024
Range in size of awards:			
Smallest award	\$260	\$270	\$327
Average award	\$7,876	\$8,077	\$9,666
Largest award	\$41,228	\$42,175	\$51,104
Number of Children Served	471,377	471,377	471,377
Share per child (whole dollars)	\$869	\$891	\$1,066

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#### NOTES:

States may, at their discretion, provide free appropriate public education to 2-year-olds who will turn 3 during the school year. However, the figures for the number of children served do not include children served by the States who are 2 years old at the time of the count but will turn 3 during the school year.

The numbers of children served are estimates based on fall 2021.

#### **History of Children Served and Program Funding**

All 5-year-olds in kindergarten were removed from the preschool educational environments data for the first time in 2020 (school year 2020-21 or fiscal year 2021). Prior fiscal years included these students in the number of children served. This modification results in a significant drop in the number of reported children served and corresponding increase in the Federal Share per Child between fiscal years 2020 and 2021.

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Fiscal Year	Children Served (thousands)	Appropriation (dollars in thousands)	Federal Share per Child (whole dollars)
1990	352	\$251,510	\$715
1991	367	292,766	798 <sup>1</sup>
1992	398	320,000	804
1993	441	325,773	739
1994	479	339,257	709
1995	522	360,265	689
1996	549	360,409	656
1997	562	360,409	642
1998	572	373,985	654
1999	575	373,985	651
2000	589	390,000	662
2001	599	390,000	652
2002	617	390,000	632
2003	647	387,465	599
2004	680	387,699	571
2005	702	384,597	548
2006	704	380,751	546
2007	714	380,751	533
2008	710	374,099	527
2009	709	374,099	528
2009 ARRA	709	400,000	564
2010	732	374,099	511
2011	738 <sup>2</sup>	373,351	508
2012	745	372,646	500
2013	749	353,238	472
2014	745	353,238	474
2015	753	353,238	469
2016	763	368,238	483
2017	774	368,238	476
2018	815	381,120	467
2019	806	391,120	480
2020	806 <sup>3</sup>	394,120	490
2021	471 <sup>4</sup>	397,620	844
2021 ARP Act	471	200,000	424
2022	471	409,549	869
2023	471	420,000	891
2024	471	502,620	1,066

<sup>1</sup> Beginning in fiscal year 1991, the IDEA required that services be made available to all eligible children with disabilities aged 3 through 5 as a condition for receiving funding for children in this age range under the Grants to States program.

<sup>2</sup> Beginning in fiscal year 2011, this table reports the number of children served by the 50 States, District of Columbia, and Puerto Rico. Prior fiscal years also include the number of children served in the Outlying Areas, Freely Associated States, and the Bureau of Indian Education, which are no longer eligible to receive Preschool Grant awards.

<sup>3</sup> Estimate based on the number of children served in the fall of 2019.

<sup>4</sup> All 5-year-olds in kindergarten were removed from the preschool educational environments data for the first time in 2020 (SY 2020-21 or FY 2021). Prior fiscal years included these students in the number of children served.

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#### **PROGRAM PERFORMANCE INFORMATION**

##### **Performance Measures**

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To help preschool children with disabilities enter school ready to succeed by assisting States in providing special education and related services.**

**Objective:** *Preschool children with disabilities will receive special education and related services that result in increased skills that enable them to succeed in school.*

**Measure:** The percentage of children who entered the program below age expectations in positive social-emotional skills (including social relationships) who substantially increased their rate of growth by the time they exited the program.

<b>Year</b>	<b>Target</b>	<b>Actual</b>
<b>2019</b>	84%	81%
<b>2020</b>	85	78
<b>2021</b>	85	
<b>2022</b>	85	
<b>2023</b>	85	
<b>2024</b>	85	

**Measure:** The percentage of children who entered the program below age expectations in acquisition and use of knowledge and skills (including early language/communication and early literacy) who substantially increased their rate of growth by the time they exited the program.

<b>Year</b>	<b>Target</b>	<b>Actual</b>
<b>2019</b>	84%	82%
<b>2020</b>	85	79
<b>2021</b>	85	
<b>2022</b>	85	
<b>2023</b>	85	
<b>2024</b>	85	

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**Measure:** The percentage of children who entered the program below age expectations in the use of appropriate behaviors to meet their needs who substantially increased their rate of growth by the time they exited the program.

Year	Target	Actual
2019	84%	81%
2020	84	79
2021	85	
2022	85	
2023	85	
2024	85	

**Additional information:** Through their Annual Performance Reports (APRs), States report on the cognitive, social-emotional, and behavioral development of children with disabilities served through the Preschool Grants program. Data for 2021 and beyond are not currently available. States will complete submission of the FY 2021 APRs in April 2023.

**Measure:** The percentage of children with disabilities (ages 3 through 5) attending a regular early childhood program and receiving the majority of hours of special education and related services in the regular early childhood program.

Year	Target	Actual
2019	50%	44%
2020	50	40
2021	50	41
2022	50	
2023	50	
2024	50	

**Additional information:** All 5-year-olds in kindergarten were removed from the preschool educational environments data for the first time in 2020 (SY 2020-21). Additionally, SY 2020-21 represent counts taken during the pandemic. Data for 2022 (SY 2022-23) are not currently available. States will submit Part B Child Count and Educational Environments data to the Department in June 2023. Final publication of the data after data quality and privacy protection reviews are completed is anticipated in early 2024.

**Measure:** The number of States with at least 90 percent of special education teachers of children with disabilities ages 3 to 5 who are fully certified in the areas in which they are teaching.

Year	Target	Actual
2019	47	41
2020	47	46
2021	47	
2022	47	
2023	47	
2024	47	

**Additional information:** This measure includes the 50 States, D.C., Puerto Rico, the Outlying Areas, and the Bureau of Indian Education. Data for 2022 (SY 2021-22) are not currently

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available. States will submit Part B Personnel data to the Department in May 2023. Final publication of the data after data quality and privacy protection reviews are completed is anticipated in early 2024.

#### Efficiency Measure

**Measure:** The average number of days between the completion of a site visit and the Office of Special Education Programs' (OSEP) response to the State.

Year	Target	Actual
2019		257
2020		407
2021		
2022	180	230
2023	180	
2024	180	

**Additional information:** No site visits were conducted in 2021 due to the COVID-19 pandemic.

#### Other Performance Information

##### Pre-Elementary Longitudinal Study (PEELS) (<http://www.peels.org>)

In October 2010, the National Center for Special Education Research released the report, "Access to Educational and Community Activities for Young Children with Disabilities." As reported in parent interviews, participation in community activities such as sports, organized clubs, art, and music varied significantly by type of disability and by household income. Children from households with annual incomes greater than \$40,000 participated in sports with greater frequency than children from households with lower incomes. Children of parents who perceived their neighborhood to be unsafe or who reported that their transportation did not meet their families' needs were significantly less likely to participate in extracurricular activities. Parents also reported on educational settings, and 69 percent said they sent their children to full day kindergarten. Children from high-wealth districts and those from suburban settings were less likely to attend full-day kindergarten than their peers.

In a survey of kindergarten teachers, 73 percent of teachers reported that the regular education classroom was the main setting for children receiving special education services. This inclusion rate was significantly higher in very large districts (91 percent) than districts of other sizes, and significantly higher in rural districts (86 percent) than in suburban or urban districts. Children in very low wealth districts were less likely to have regular classrooms as their main setting (59 percent) compared to all other districts. On average, children spent 17.1 hours per week in regular classrooms and 7.1 hours in special education settings.

Teachers also reported on modifications and accommodations provided to children with disabilities. Overall, teachers reported using unmodified grade-level materials in 44 percent of cases, while 14 percent of children received specialized materials or curricula. There was no significant variation in these data across district size or wealth. The study also found that

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children who received special education services in a regular classroom were in classrooms in which, on average, 82 percent of students were nondisabled.

In August 2011, the latest report from this study was released, “A Longitudinal View of the Receptive Vocabulary and Math Achievement of Young Children with Disabilities.” This report found that children who received preschool special education services showed growth each year in vocabulary and mathematics; however, growth slowed in both math and vocabulary as they got older. Children’s performance varied across assessments and across subgroups defined by disability. At age 3, children with a speech or language impairment had higher average scores than those with developmental delays. At age 10, the gap between these subgroups persisted, and there were no statistically significant differences in growth rates between subgroups.

### Other Studies

The Department also is investing in the Early Childhood Longitudinal Study program through the National Center for Education Statistics (NCES) (<https://nces.ed.gov/ecls>). This program involves two complementary cohort studies, a Birth Cohort (ECLS-B) and a Kindergarten Cohort (ECLS-K), that focus on children’s early school experiences. The ECLS-K has followed the kindergarten class of 1998-99 through eighth grade. The ECLS-K provides descriptive information on children’s status at entry to school and their transition into school, and their progression through middle school. The ECLS-B is designed to follow children from 9 months through kindergarten. It focuses on health, development, early care, and education during the formative years of children born in 2001. These studies also are providing data on outcomes experienced by children with disabilities participating in preschool programs and baseline data on outcomes experienced by nondisabled children.

OSEP, and subsequently the National Center on Special Education Research, have sponsored a special education questionnaire for teachers in the ECLS-K Study and the collection of more extensive data on children with disabilities and their programs, including the identification of, receipt of services for, and use of special equipment for a number of disabling conditions that may interfere with a sampled child’s opportunity to learn.

Data from ECLS-K on demographic and school characteristics indicate that for the cohort of students beginning kindergarten in 1998, specific learning disabilities and speech or language impairments were the most prevalent primary disabilities. The percentage of the student cohort receiving special education grew from 4.1 percent in kindergarten to 11.9 percent of students in fifth grade. The results also indicate that higher percentages of boys than girls, and of students from low-income backgrounds than students from higher-income backgrounds, received special education. About 12 percent of students receive special education in at least one of the grades: kindergarten, first, and third grade, including 16 percent of boys, 8 percent of girls, 18 percent of children from low-income backgrounds, and 10 percent of children from higher-income backgrounds. One in three students who receive special education in early grades first receive special education in kindergarten. Half of those who begin special education in kindergarten are no longer receiving special education by third grade. In addition to students’ gender and poverty status, results are presented separately for other student and school characteristics, including race/ethnicity, school, urbanicity, region, and poverty concentration.

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(Individuals with Disabilities Education Act, Part C)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

2023 Appropriation	2024 Request	Change
\$540,000	\$932,000	+\$392,000

### **PROGRAM DESCRIPTION**

The Grants for Infants and Families program (Part C) awards formula grants to the 50 States, the District of Columbia, Puerto Rico, the Department of the Interior, and Outlying Areas to assist them in implementing statewide systems of coordinated, comprehensive, multidisciplinary, interagency programs ensuring that appropriate early intervention services are made available to all eligible birth-through-2-year-olds with disabilities and their families, including Indian children and families who reside on reservations geographically located within a State. Infants and toddlers with disabilities are defined as children who: (1) are experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following five areas: cognitive development, physical development, communication development, social or emotional development, or adaptive development; or (2) have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. Within statutory limits, States define “developmental delay” and have the discretion to provide services to infants and toddlers who are at risk of having substantial developmental delays if they do not receive appropriate early intervention services.

Funds can be used to: (1) implement and maintain the statewide system described above; (2) fund direct early intervention services for infants and toddlers with disabilities and their families that are not otherwise provided by other public or private sources; (3) expand and improve existing services; (4) provide a free appropriate public education, in accordance with Part B of the Individuals with Disabilities Education Act (IDEA), to children with disabilities from their third birthday to the beginning of the following school year; (5) continue to provide early intervention services to children with disabilities from their third birthday until such children enter or are eligible to enter kindergarten or elementary school; and (6) initiate, expand, or improve collaborative efforts related to identifying, evaluating, referring, and following up on at-risk infants and toddlers in States that do not provide direct services for these children.

The IDEA requires that early intervention services be provided, to the maximum extent appropriate, in natural environments. The natural environment includes the home and community settings where children would be participating if they did not have a disability. These services can be provided in another setting only when early intervention cannot be achieved satisfactorily for the infant or toddler in a natural environment. Each child’s individualized family

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

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service plan (IFSP) must contain a statement of the natural environments in which early intervention services will be provided, including a justification of the extent, if any, to which the services will not be provided in a natural environment.

The statewide system also must comply with additional statutory requirements, including designating a lead agency responsibility for the coordination and administration of funds, and developing and maintaining a State Interagency Coordinating Council to advise and assist the lead agency. One of the purposes of the Part C program is to assist States in coordinating payment for early intervention services from Federal, State, local, and private sources, including public and private insurance coverage (e.g., Medicaid, the State Children's Health Insurance Program), Supplemental Security Income, and Early Head Start.

The IDEA gives States the discretion to extend eligibility for Part C services to children with disabilities who are eligible for services under section 619 Preschool Grants and who previously received services under Part C, until such children enter or are eligible under State law to enter kindergarten or elementary school, as appropriate. The Act further stipulates that any Part C programs serving children aged 3 or older must provide both: (1) an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills; and (2) a written notification to parents of their rights regarding the continuation of services under Part C and eligibility for services under section 619.

### **Funding Formula**

Allocations are based on the number of children in the general population aged birth through 2 years in each State. The Department uses data provided by the United States Census Bureau in making this calculation. No State can receive less than 0.5 percent of the funds available to all States, or \$500,000, whichever is greater. The Outlying Areas may receive not more than 1 percent of the funds appropriated. The Department of the Interior, Bureau of Indian Education (BIE), receives 1.25 percent of the aggregate of the amount available to all States. Interior must pass through all the funds it receives to Indian tribes, tribal organizations, or consortia for the coordination of early intervention services on reservations with BIE schools. Tribes and tribal organizations can use the funds they receive to provide (1) help to States in identifying Indian infants and toddlers with disabilities, (2) parent training, and (3) early intervention services.

This is a forward-funded program. Funds become available for obligation on July 1 of the fiscal year in which they are appropriated and remain available for 15 months, through September 30 of the following year.

### **State Incentive Grants**

In any fiscal year in which the appropriation for Part C exceeds \$460 million, the statute includes authority for the Department to reserve 15 percent of the amount above \$460 million for a State Incentive Grants (SIG) program. The purpose of this program is to provide funding to assist States that have elected to extend eligibility for Part C services to children with disabilities aged 3 years until entrance into kindergarten or elementary school, or for a portion of this period. No State can receive more than 20 percent of the amount available for SIGs in a fiscal year. In fiscal years 2018 through 2022, the total of funds appropriated for Part C exceeded the \$460 million level. For fiscal year 2022, the six States that opted to extend their provision of Part C services beyond age 3 received additional funds through this program and have until September 30, 2024, to expend these funds.

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Funding levels for the past 5 fiscal years were:

Fiscal year	(dollars in thousands)
2019	\$470,000
2020	477,000
2021	481,850
2021 Mandatory ARP Act	250,000
2022	496,306
2023	540,000

### FY 2024 BUDGET REQUEST

For fiscal year 2024, the Administration requests \$932.0 million for the Grants for Infants and Families (Part C) program, \$392.0 million more than the fiscal year 2023 appropriation. The proposed increase and reforms described in greater detail below would support a significant expansion of early intervention programs that provide services to infants and toddlers with disabilities, particularly for historically underserved children such as children of color and children from low-income backgrounds.

Part C early intervention programs are designed to improve children’s long-term outcomes and mitigate the need for more extensive services in the future. A bevy of evidence shows that Part C services can have an enormous impact on a young child’s cognitive, physical, communicative, and social-emotional development.<sup>1</sup> The Part C program also helps ensure that infants and toddlers with disabilities receive the supports and services they need to prepare them to successfully enter and transition into elementary school. A national longitudinal study found that over 40 percent of children receiving early intervention services did not need special education services in Kindergarten.<sup>2</sup>

In addition to improved outcomes for individual children and their families, investments in early intervention programs can be particularly cost effective. Indeed, providing effective early childhood interventions can generate net savings over time by reducing future service utilization. For example, in one study, the costs of an early intervention program for children with Autism were offset in two years and led to longer-term savings of approximately \$19,000 per year per child as improved developmental gains reduced future need for services (e.g., speech therapy) that are typically paid by the government (e.g. through Medicaid), private health insurance, or families.<sup>3</sup> Another study of an early intervention program in North Carolina found participation reduced special education placement by 10 percent, resulting in an average inflation adjusted net savings of \$630 per child.<sup>4</sup> Furthermore, a study of an early intervention program found significant health benefits for participating children who, for example, made 33 percent fewer trips to the emergency room visits through age 4.<sup>5</sup> Longitudinal studies have also demonstrated that another reason why early intervention programs produce a high return on investment is because such programs increase earnings in adulthood.

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<sup>1</sup> Gillispie, C. (2021). Our youngest learners: Increasing equity in early intervention. *The Education Trust*.

<sup>2</sup> [https://www.sri.com/wp-content/uploads/2021/12/neils\\_finalreport\\_200702.pdf](https://www.sri.com/wp-content/uploads/2021/12/neils_finalreport_200702.pdf)

<sup>3</sup> <https://www.pennmedicine.org/news/news-releases/2017/august/study-finds-early-intervention-for-children-with-autism-quickly-results-in-costs-savings>

<sup>4</sup> <https://caldercenter.org/sites/default/files/WP%20121.pdf>

<sup>5</sup> <https://www.rand.org/pubs/monographs/MG341.html>

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Despite these well-established benefits, several studies have found a high percentage of children who qualify for early intervention services do not receive them. For example, one study found that of just 19 percent of children eligible for Part C services were referred to such services, and only 5 percent received them.<sup>1</sup> And the COVID-19 pandemic likely exacerbated this access problem. During the 2020-2021 program year, States served 365,715 infants and toddlers with disabilities – a 15 percent decline from the previous year and the lowest number served since 2015. As pandemic-related restrictions eased, the number of children served increased by 12 percent during the 2021-2022 program year, with States serving 407,807 infants and toddlers with disabilities. The Department anticipates dramatic increases in the number of children served under this program through 2023 and 2024 as pandemic-related barriers to identification and participation decrease. In addition, children returning to the program are likely to have more intensive needs because they could not access the services during the pandemic.

Limited Federal funding for Part C has contributed to fiscal constraints at the State level that hampered access to services. For example, some States have restricted program eligibility criteria due to budget constraints, which research has shown significantly reduces receipt of early intervention services, particularly for children with significant disabilities.<sup>2</sup> In a 2022 survey by the Infants and Toddlers Coordinating Association, more than 70 percent of respondents indicated that a lack of providers to meet service needs was one of the most stressful factors of their position, and 54 percent indicated that insufficient funding was a major concern, up from 41 percent in 2021.<sup>3</sup> The requested funding increase for this program, nearly \$400 million more than the fiscal year 2023 level of funding, would provide critical support to meet State needs for adequate staffing and funding to serve infants and toddlers with disabilities.

The Department also recognizes that increased funding alone cannot ensure access to services for underserved children, such as children of color and children from low-income backgrounds. For example, one study found that at 24 months of age, eligible Black children were five times less likely to receive services than White children.<sup>4</sup> Part C program data has also revealed service gaps for Native American children compared to White children.<sup>5</sup> And research has shown children from low-income backgrounds are 10 to 14 percent less likely to receive early intervention services than their wealthier peers.<sup>6</sup> These gaps are driven by a variety of factors, including disparities in access to pediatric care, societal biases, and constrained resources that limit robust informational and outreach activities for underserved communities.

The Department is committed to closing these gaps and ensuring all children who need these vital services receive them in a timely manner. Doing so would improve outcomes for underserved children as evidence shows that early intervention services reduce the likelihood of special education placement later in a student's life. Therefore, the request proposes a range of proposals to increase equity and access to Part C services as described below.

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<sup>1</sup> McManus et al. (2020). Child characteristics and early intervention referral and receipt of services: A retrospective cohort study. *BMC Pediatrics*. 20. 10.1186/s12887-020-1965-x

<sup>2</sup> McManus et al. (2013) Restricting state Part C eligibility policy is associated with lower early intervention utilization. *Maternal and Child Health Journal*. 18:1031-1037

<sup>3</sup> 2022 Tipping Points Survey, Infants and Toddlers Coordinating Association

<sup>4</sup> Feinberg et al. The impact of race on participation in part C early intervention services. *Journal of Developmental and Behavioral Pediatrics*. 2011;32(4):284–291

<sup>5</sup> <https://sites.ed.gov/idea/files/43rd-arc-for-idea.pdf>

<sup>6</sup> McManus et al. (2020). Child characteristics and early intervention referral and receipt of services: A retrospective cohort study. *BMC Pediatrics*. 20. 10.1186/s12887-020-1965-x

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#### Promoting Equitable Access to Part C Services

The Department also believes that the first step to meaningfully address the gaps in service provision for infants and toddlers is to ensure that all States identify those gaps, develop plans for addressing them, and reserve sufficient funding to implement their plans. The request includes appropriations language that would require all States receiving funds under Part C to reserve at least 10 percent of their annual allocations to develop and implement an equity plan approved by the Secretary. Such plans, submitted as part of the State Performance Plan (SPP), would include (1) identified subgroups and regions the State determines have limited access to Part C services, based on service rate data; (2) a comprehensive set of evidence-based practices the State intends to implement to engage underserved subgroups and meet the needs of those populations; and (3) a proposed budget for executing its plan. States would provide the Department with annual updates and data on subgroup service rates demonstrating the extent to which gaps are being closed. Examples of practices to close equity gaps include:

- providing additional support to providers who serve underrepresented populations;
- making revisions to State Medicaid plans to ensure that a child's Individualized Family Service Plan is sufficient documentation for Medicaid billing;
- translating outreach materials into additional languages, including indigenous languages and languages of immigrant communities;
- updating service delivery models to more effectively reach infants and families in remote areas;
- improving outreach to home childcare providers and other trusted community care providers about the signs of developmental delay;
- increasing support and technical assistance for local health departments to ensure effective screening practices are in place for families who receive primary care from those agencies; and
- streamlining evaluation procedures to reduce barriers to participation in the program.

Current Part C expenditures on these types of activities would count toward the 10 percent reserve requirement. In addition to supporting these activities, the proposed equity plans would ensure States engage in a comprehensive planning process to strategically deploy resources to increase enrollment of underserved children. Furthermore, the related data submitted as part of the plans would provide Congress, the Department, and the public greater transparency on rates of services across demographics and how States are allocating resources to address identified gaps.

The Department will conduct monitoring and oversight of these equity plans to ensure State compliance and effective provision of services to the underserved populations they have identified. In addition, the Department intends to prioritize fiscal year 2024 funding under the Part D State Personnel Development Grants program for projects aligned with States' Part C equity plans. For example, if a State's equity plan aims to address gaps in services for non-English speaking children, a project could support the training and retention of bilingual early intervention providers.

The Department has already made efforts to support States in improving equitable access to program services. In fiscal year 2022, the Department funded an Equity Center to provide training and technical assistance to relevant government agencies, upon request, to promote equitable educational opportunities for children. In fiscal year 2023, the Department plans to fund an Equity Data Center to assist States to collect data regarding race and ethnicity of infants

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and toddlers eligible for Part C services. The Department has also updated its monitoring protocols to use data on race and ethnicity of infants and toddlers enrolled in Part C services in order to use the monitoring process to identify and address issues around equity in service provision.

Finally, the Department recognizes that a State's system of payments under Part C can itself be a barrier to equitable access to program services. For example, some States charge families \$25 to \$100 per month for services. Other States charge a fee for each service provided. Particularly for families that may not qualify for Medicaid in their State or for children whose required services are not covered by Medicaid or private insurance, family fees and out-of-pocket expenses can be the difference between children receiving critical services or being left behind. In fact, research has demonstrated that relatively small fees of \$1 to \$5 can lead to reduced service utilization.<sup>1</sup>

The Department is proposing to address this inequity in access to services through appropriations language that would prohibit States from charging family fees or out-of-pocket expenses. According to a survey of Part C coordinators, several respondents indicated they are concerned that fees can deter participation among low-income backgrounds and can be difficult to administer and thus lead to inappropriate billing of families.<sup>2</sup> Over the last few years, several States have curtailed or eliminated their collection of family fees because of the barrier they pose to access and the high administrative burden associated with their collection. Additional States suspended collection of fees during the COVID-19 pandemic. According to a 2021 survey from the Infants and Toddlers Coordinators Association, only 14 States out of 41 respondents were still charging family fees. In total, those States collected only \$11 million in revenue from those fees, a fraction of the \$3.5 billion in revenue States collectively reported for early intervention systems.<sup>3</sup> It is important to note that the requested appropriations language would not restrict States' ability to collect Medicaid or private insurance premiums.

Given the limited revenue States receive from fees, the deterrent effect fees may have on families whose children require services, and the challenges States have reported in administering fees, the Department strongly believes they should be prohibited. Furthermore, the proposed increase in program funding would more than offset revenue lost by ceasing collection of family fees.

The Department recognizes that some States may need support in shifting their system of payments away from a reliance on family fees. The Center for IDEA Fiscal Reporting (CIFR) assists states to improve the quality of their collection, reporting, analysis, and use of IDEA Part B and Part C fiscal data. In fiscal year 2022, the Department amended the CIFR work plan to provide technical assistance to States to address issues around State financing of IDEA Part C services, including facilitating regional communities of practice, maintaining a Part C listserv, and providing state-specific targeted and intensive technical assistance. This could include technical assistance to States in supporting families in accessing necessary services without requiring them to pay out of pocket, including the use of State or Federal funds to cover insurance co-pays. The Administration is also requesting \$4.0 million in Technical Assistance and Dissemination in fiscal year 2024 to expand access to special education services and reduce barriers to Part C enrollment for infants and toddlers.

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<sup>1</sup> <https://www.kff.org/medicaid/issue-brief/the-effects-of-premiums-and-cost-sharing-on-low-income-populations-updated-review-of-research-findings/>

<sup>2</sup> [https://www.ideainfanttoddler.org/pdf/ITCAFCSurveySum\\_A.pdf](https://www.ideainfanttoddler.org/pdf/ITCAFCSurveySum_A.pdf)

<sup>3</sup> <https://www.ideainfanttoddler.org/pdf/Part-I-2021-Executive-Summary.pdf>

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To support States in their efforts to increase equitable access to services, starting in 2021, the Department has led an interagency working group including representatives from multiple Federal agencies to develop technical assistance guides for IDEA Part C coordinators, State and local early childhood program administrators, early childhood and health providers, families, policymakers and individuals or organizations committed to improving outcomes for infants and toddlers with disabilities. The workgroup has met with a wide range of stakeholders, including experts in child development, researchers, families, disability rights advocates, and State Part C coordinators to solicit feedback on best practices to support equitable access to Part C services. These resources provide guiding principles, identify specific strategies, and highlight resources and best practices for increasing families' access to IDEA Part C services, particularly those who have been historically underserved by IDEA Part C, including infants and toddlers of color, and those from low-income families, rural communities, and whose first language is not English. The Administration published the first two guides in December 2022.<sup>1</sup> The *Technical Assistance Implementation Guide on Outreach and Engagement with Families* contains strategies or best practices for outreach and engagement with families to implement a comprehensive system that identifies, locates, and evaluates infants and toddlers. The guide contains examples from States and local programs that show how these strategies are being implemented to support Part C systems in connecting with families typically underrepresented in Part C. The *Technical Assistance Implementation Guide on Developmental Monitoring, Screening, and Referral* contains strategies or best practices for supporting referral of infants and toddlers with developmental delays or disabilities to the IDEA Part C system. The guide contains examples from States and local programs that show how these strategies are being implemented to support primary referral sources in screening and referring infants and toddlers typically underrepresented in Part C. The Administration aims to release the remaining guides, which will cover topics such as evaluations and assessment, professional development for personnel and cross-agency collaborations, within the year.

### Expanding Access to Children At-Risk of Developing Delays and Disabilities

Under the Part C program, all States have the option of serving infants and toddlers who, in the absence of early intervention services, are at risk for substantial developmental delays. States that have elected to use this option have defined a variety of factors that would qualify a child as at-risk, including children with medical conditions such as low-birth weight or extended NICU stays, as well as environmental factors such as children who have parents with certain disabilities or children who have been exposed to toxins.

Providing at-risk children with Part C services can expedite the provision of services so that a child highly likely to develop a delay does not have to wait for the delay to clinically manifest before receiving services. And research has clearly shown that earlier provision of services leads to improved long-term outcomes.<sup>2</sup> Furthermore, serving at-risk children can particularly increase access to the program for underserved children, as children of color and children from low-income backgrounds are disproportionately likely to qualify through these risk factors. For example, research has shown that Black children are 2.5 times more likely to be born at low-birth weight than White children.<sup>3</sup> Furthermore, research has found that Black children are eight times less likely to be found eligible for services than White children when evaluated on more

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<sup>1</sup> <https://osepideasthatwork.org/technical-assistance-resources-part-c-eligibility>

<sup>2</sup> Eapen et al. (2013) Clinical outcomes of an early intervention program for preschool children with Autism Spectrum Disorder in a community group setting. BMC Pediatric.

<sup>3</sup> Ratnairi et al. (2018) Recent trends, risk factors, and disparities in low birth weight in California, 2005-2014: a retrospective study. Maternal Health, Neonatology and Perinatology. 4:15

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subjective criteria such as the degree of a child's speech delay. No such difference is found when evaluating on objective criteria, such as whether a child has Down Syndrome.<sup>1</sup> Given at-risk factors are primarily objective criteria (e.g., whether the child has a confirmed medical condition or has been exposed to a toxin), expanding eligibility for at-risk children can mitigate some of the biases and barriers that limit or delay services for low-income children and children of color.

States have expressed to the Department the desire to serve at-risk children, but during the 2021-2022 program year only seven States did so, with States primarily citing the costs of serving additional children as the main barrier to expanding eligibility. Such costs may include, for example, training additional service providers, revising child find procedures to enroll at-risk children, and increasing capacity to coordinate services.

Therefore, to support States who choose to exercise the existing flexibility in IDEA to serve at-risk children, the Department's request would allow the Department to reserve up to \$200 million under the Part C State Incentive Grants (SIG) program and add a new allowable use of that funding to support States serving at-risk infants and toddlers.<sup>2</sup> Under the Department's proposal, States would continue to separately apply for SIG funds by detailing how they would use those funds to expand services to the relevant populations, and maximum awards would be determined based on a State's relative share of the population ages birth through two. This proposal would create no new requirements for States but would provide financial incentives for States to engage in an optional activity under the program. Any SIG funds not claimed by States would continue to be reallocated to all States based on the formula, consistent with current practice.

Furthermore, the interagency working group described above is planning to produce a resource document that includes new, innovative and promising practices that States may use to identify at-risk children eligible for Part C services and connect them to those services. For example, the Department has seen significant growth in partnerships between IDEA Part C administrators and home visiting programs to help identify at-risk children and connect them to the services they need. This guide will complement the *Technical Assistance Implementation Guide on Outreach and Engagement with Families*, released in December 2022, which highlights strategies and best practices for child find.

### **Promoting More Equitable Distribution of Funding**

In reauthorizing the IDEA in 2004, Congress recognized that "a more equitable allocation of resources is essential for the Federal Government to meet its responsibility to provide an equal educational opportunity for all individuals" (IDEA §301(c)(7)). An equitable allocation of Part C funding should factor in poverty, which is strongly correlated with many risk factors for developmental delay or disability, such as low birth weight, poor nutrition, and lead exposure. Indeed, Congress has long recognized the importance of including poverty metrics in formula allocations under the IDEA Grants to States and Preschool Grants programs. Similarly, the Department believes that a measure of poverty should be incorporated into the Part C State allocation formula.

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<sup>1</sup> Feinberg et al. (2011) The impact of race on participation in Part C early intervention services. *Journal of Developmental and Behavioral Pediatrics*. 32(4): 284-291

<sup>2</sup> States may currently receive SIG funding if they expand Part C eligibility to children ages 3 through 5.

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Therefore, the request includes appropriations language that would allocate Part C funds based on a formula which, as with the Grants to States and Preschool Grants programs, allocates 85 percent of funding on the basis of a State's relative share of the population birth through age 2, and 15 percent on the basis of a State's relative share of individuals in that age range living in poverty. This proposal aligns with the Congressional intent of the 2004 IDEA reauthorization, ensuring that States with a higher share of children living in poverty—and which research indicates have a greater need for Part C services—would receive relatively more funding than under the current formula. Furthermore, pairing the formula change with the proposed increase in funding would ensure that no State receives less funding in fiscal year 2024 than in fiscal year 2022 and 2023.

The Department's proposal also includes a "hold harmless" provision to provide a level of certainty around Federal funding for States.

### **Easing Entry into the Part C Program for New Parents**

For all new parents, the first weeks and months of a child's life can be taxing, and even more so if a new child has a disability. The unique physical, nutritional, and developmental needs of infants with disabilities can occupy a great deal of a new parent's focus and attention. Postpartum can therefore be a particularly challenging time for families to navigate the process of establishing Part C eligibility and developing an IFSP. In such instances, entry into the Part C system and the provision of services can be delayed by weeks or even months during critical times in a child and family's life. The Department believes States should be given the flexibility to use Part C funds to design and implement systems that make initial entry into the Part C system as transparent and seamless as possible for families.

For this reason, the request includes appropriations language to provide flexibility to States to use their Part C funds to conduct child find, public awareness, and referral activities for individuals who are expected to become parents of an infant or toddler with a disability. For example, if an expectant mother learns through genetic testing that her child will be born with Down Syndrome and will therefore be eligible for Part C services in her State upon birth, a State choosing to use this flexibility could work with her to ensure she understands how the Part C system operates, connect her with vital resources, refer her for services, and, within 45 days of the child's birth, ensure that an IFSP is established to support the infant and her family with early intervention services. As with the proposed expansion of SIG, this proposal would not create any new requirements but would give States new flexibility to dramatically streamline the Part C referral, evaluation, and determination process for countless families nationwide each year.

### **Ensuring Continuity of Services**

Part C services represent a critical investment in our children and their future. Effective and timely delivery of early intervention services can dramatically improve long-term outcomes for children, and families of infants and toddlers with disabilities need to know that early intervention services will be there for them when they need them. Particularly for underserved communities, complicated, inconsistent, and constantly changing eligibility criteria can increase distrust of the system and make families less likely to seek out or utilize program services.

Parents should not live in fear of suddenly and inexplicably losing eligibility. Parents should not be forced to choose between a job in a different State or retaining services for their infant or

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toddler that are critical for their child's development. Currently, States establish eligibility criteria under Part C within certain parameters, but they can change those criteria over time, often with the intent of reducing the number of children eligible to be served under Part C to meet budget constraints. When States do narrow eligibility criteria, research has shown fewer children receive services, particularly children with significant disabilities.<sup>1</sup> Consequently, a family that was eligible for services last year may no longer be eligible this year, creating confusion on the part of families and disruptions in vital services for children. Further, data shows that States with more restrictive eligibility guidelines also have larger racial disparities in service provision.

The Department proposes to address such uncertainties and disparities in the provision of services through appropriations language that would require States to provide families at least 24 months' advance notice of any changes to eligibility requirements under the Part C program. Requiring such advance notice would remove short-term incentives to cut costs by restricting eligibility and ensures that infants and families will be able to receive their full range of services without interruption. This proposal also aims to amplify the voices and concerns of families, providers, and other stakeholders by requiring States to conduct public participation procedures prior to a State narrowing criteria.

### **Ensuring that Every Child Has Access to High Quality Service Providers**

Every child with a disability deserves access to high quality service providers with the knowledge, skills, dispositions, qualifications, and experience to meet their unique needs. However, far too often, Part C programs do not have enough qualified staff to meet the needs of the children and families they serve. These personnel shortages can lead to delays in services, lower quality services, or, particularly in remote areas, a total lack of access to services, all of which can disproportionately affect communities with high rates of poverty and communities of color. In order to support State comprehensive systems of personnel development (CSPDs) required under section 635(a)(8) of the IDEA, the Department intends to leverage the resources provided under Part D of the IDEA, including the proposed \$135.0 million increase to the Personnel Preparation program, to both increase the number of early childhood training grants it supports each year under Part D and make new grants to States to support State-driven reforms to increase the effective recruitment, preparation, induction, professional development, support, and retention of highly effective early intervention service providers, with a particular emphasis on increasing the diversity of providers, including providers from underrepresented backgrounds.

### **Additional Fiscal Year 2024 Proposed Appropriations Language**

The request also proposes to continue appropriations language initially provided in prior years which would (1) allow States to subgrant funds they receive under this program, (2) allow the Department to maximize the amount of funds distributed for State Incentive Grants, and (3) allow States to offer summer bridge services through Part C to children prior to the beginning of the preschool year after their third birthday.

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<sup>1</sup> McManus et al. (2013) Restricting state Part C eligibility policy is associated with lower early intervention utilization. *Maternal and Child Health Journal*. 18:1031-1037

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**PROGRAM OUTPUT MEASURES**

(dollars in thousands)

Output Measures	2022	2023	2024
Formula grants:			
Formula grants to States	\$481,251	\$517,851	\$717,012
Formula grants to Outlying Areas	\$3,482	\$3,482	\$3,482
Department of the Interior	\$6,127	\$6,667	\$11,506
Subtotal, formula grants	\$490,860	\$528,000	\$732,000
State Incentive Grants	\$5,446	\$12,000	\$200,000
Total	\$496,306	\$540,000	\$932,000
Children served <sup>1</sup>	407,800	424,100	508,000

**PROGRAM PERFORMANCE INFORMATION**

**Performance Measures**

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To enhance the development of infants and toddlers (birth to three) with disabilities and support families in meeting the special needs of their child.**

**Objective:** *The functional development of infants and toddlers will be enhanced by early intervention services.*

**Measure:** The percentage of infants and toddlers who entered the program below age expectations in positive social-emotional skills (including social relationships) who substantially increased their rate of growth by the time they exited the program.

Year	Target	Actual
2019	70%	65%
2020	70	64
2021	70	66
2022	70	
2023	70	
2024	70	

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<sup>1</sup> Estimates based on 2021 actuals and an assumed 4 percent annual increase in the number of infants and toddlers, birth through age 5, who receive services under the program, including an assumption that COVID-related effects on the number of children served will be resolved by 2023. The Administration assumes a significant increase in the number of children served based on the proposal to increase funding to serve more at-risk children.

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**Measure:** The percentage of infants and toddlers who entered the program below age expectations in acquisition and use of knowledge and skills (including early language/communication and early literacy) who substantially increased their rate of growth by the time they exited the program.

Year	Target	Actual
2019	76%	74%
2020	76	69
2021	76	71
2022	78	
2023	78	
2024	78	

**Measure:** The percentage of infants and toddlers who entered the program below age expectations in the use of appropriate behaviors to meet their needs who substantially increased their rate of growth by the time they exited the program.

Year	Target	Actual
2019	77%	76%
2020	77	71
2021	77	70
2022	78	
2023	78	
2024	78	

**Additional information:** Data are from the States' Annual Performance Reports (APRs). Two States have current approval from the Department to collect data for a representative sample of the children they serve through the Part C program; all other States report data on all children served. Success on these outcomes is based on a Likert scale that examines functional progress of children with disabilities.

**Objective:** *All infants and toddlers with disabilities and their families will receive early intervention services in natural environments that meet their individual needs.*

**Measure:** The number of States that serve at least 1 percent of infants in the general population under age 1 through Part C.

Year	Target	Actual
2019	36	36
2020	37	27
2021	37	31
2022	37	
2023	37	
2024	37	

**Additional information:** For a number of years, only 24 or 25 States served at least 1 percent of infants in the general population under the age of 1. The program made progress from 2012 through 2017, exceeding its targets, though performance fell dramatically in 2020 as a result of the COVID-19 pandemic. The 1 percent threshold for this measure is based on data collected by the U.S. Census bureau on prevalence rates for 5 conditions: severe intellectual disability

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(0.4 percent)<sup>1</sup>; hearing impairment (0.2 percent); visual impairment (0.1 percent); physical conditions (spina bifida, cerebral palsy, etc.) (0.2 percent); and autism (0.1 percent). State lead agencies responsible for the implementation of these programs report data annually to the Department through their APRs on the numbers of infants and toddlers with disabilities served under the Grants for Infants and Families program. Through its monitoring and technical assistance efforts, the Department is working with States to ensure that they are appropriately identifying and serving all eligible infants with disabilities and expects the number of States to increase further as a result.

**Measure:** The number of States that serve at least 2 percent of infants and toddlers in the general population, birth through age 2, through Part C.

Year	Target	Actual
<b>2019</b>	47	49
<b>2020</b>	48	46
<b>2021</b>	49	49
<b>2022</b>	50	
<b>2023</b>	50	
<b>2024</b>	50	

**Additional information:** Data are from the APRs.

**Measure:** The percentage of children receiving age-appropriate early intervention services in the home or in programs designed for typically developing peers.

Year	Target	Actual
<b>2019</b>	95%	97%
<b>2020</b>	95	97
<b>2021</b>	95	96
<b>2022</b>	95	
<b>2023</b>	95	
<b>2024</b>	95	

**Additional information:** State lead agencies report annually to the Department on the settings in which children receive services provided under the Part C program. Current performance represents a significant improvement since 2001, when States reported that only 76 percent of children receiving early intervention services through the Part C program were served in the home or in programs designed for typically developing peers.

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<sup>1</sup> Consistent with P.L. 111-256, the Department uses the term “intellectual disabilities” instead of “mental retardation,” but note that the latter term was used in the source data used to set the threshold.

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#### Efficiency Measure

**Measure:** The average number of days between the completion of a site visit and the Office of Special Education Programs' (OSEP) response to the State.

Year	Target	Actual
2019	Baseline	257
2020		407
2021		NA
2022	180	230
2023	180	
2024		

**Additional information:** The Department did not conduct regular site visits to States from 2011 through 2015. During that time, OSEP continued to meet its statutory monitoring responsibilities through the State Performance Plan /APR process, fiscal monitoring, and its work with State dispute resolution systems. In 2016, OSEP began conducting site visits using a risk-based approach to monitoring. Performance on this measure in 2020 declined significantly. No site visits were conducted in 2021 due to the COVID-19 pandemic, though OSEP continued to actively monitor State compliance. The count provided for 2022 is based on the reports that have been issued as of February 8, 2023. There is one report that has not yet been issued at this time.

#### **Other Performance Information**

Through the “Early Childhood Longitudinal Study - Birth Cohort” (ECLS-B), the National Center for Education Statistics (NCES) collected longitudinal data on a nationally representative sample of 14,000 children from their birth in 2001 through their entry into kindergarten. Approximately 75 percent of the sample entered kindergarten in fall 2006, with the remaining 25 percent entering in the following year. The ECLS-B provides data on the early development of these children, their preparation for school, and key transitions experienced by these children during the early childhood years. The study includes detailed data on the physical, cognitive, social, and emotional development of these children. More information is available on the NCES Web site at: <http://nces.ed.gov/ECLS/birth.asp>.

In July 2011, IES published the final report for the “IDEA National Assessment Implementation Study.” This congressionally mandated study provides a national picture of State agency implementation of early intervention programs for infants and toddlers under Part C of IDEA, as well as both State and school district implementation of special education programs for preschool- and school-age children under Part B of IDEA.

The study was based on surveys of State agency directors and a nationally representative sample of district special education directors conducted in 2009. Key findings relating to the Part C program include:

- Referral and identification—The most common outreach activity reported by States was the development and/or dissemination of written materials for pediatricians and other health care providers, followed by Web-based dissemination and outreach to childcare providers. States reported family members and primary healthcare providers as the most frequent sources of referral to the Part C program.

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- Coordination and transition between IDEA programs—At the time the surveys were conducted, States reported supporting the transition of young children with disabilities from the Part C program to preschool services under section 619 of Part B, but no States reported expanding Part C services to serve eligible children with disabilities until they enter kindergarten. Forty-six States reported having different coordinators for the Part C and Preschool programs, but 67 percent of Part C coordinators reported meeting at least monthly with the coordinator for the Preschool program.
- Financing—For the 37 States that provided this information, the average percentage of early intervention services funding that came from the Part C program in fiscal year 2009 was 21 percent. Twenty-three States indicated that State early intervention services funding represented the largest source of funding for early intervention services for infants and toddlers with disabilities. The largest sources of funding in other States were Part C (8 States), Medicaid/Title XIX (8 States), local municipality or county funds (4 States), and Part B (1 State).
- The final report for the “IDEA National Assessment Implementation Study” is available on the IES website at: <http://ies.ed.gov/ncee/pubs/20114026/index.asp>.

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### **National activities: State personnel development**

(Individuals with Disabilities Education Act, Part D, Subpart 1)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

<u>2023 Appropriation</u>	<u>2024 Request</u>	<u>Change</u>
\$38,630	\$53,630	+\$15,000

### **PROGRAM DESCRIPTION**

The State Personnel Development (SPD) program makes competitive awards to help State educational agencies (SEAs) reform and improve their systems for personnel preparation and professional development of individuals providing early intervention, educational, and transition services to improve results for children with disabilities.

The SPD program focuses on professional development needs and each State grantee must spend at least 90 percent of its funds on professional development activities, including the recruitment and retention of qualified special education teachers. The remaining 10 percent of funds is available for State-level activities, such as reforming special education and regular education teacher certification (including recertification) or licensing requirements and carrying out programs that establish, expand, or improve alternative routes for State certification of special education teachers.

Awards are based on State personnel development plans that identify and address State and local needs for the preparation and professional development of personnel who serve infants, toddlers, preschoolers, or children with disabilities, as well as individuals who provide direct supplementary aids and services to children with disabilities. States may work with relevant personnel to develop personalized development projects to carry out their State plans under section 653 of the Individuals with Disabilities Education Act (IDEA) and implement professional development activities that are consistent with the use of funds provisions in section 654 of IDEA. Plans must be designed to enable the State to meet the personnel requirements in Parts B and C (section 612(a)(14) of the IDEA, as amended by the Every Student Succeeds Act (ESSA), as well as section 635(a)(8) and (9)) of the IDEA. These plans must also be integrated and aligned, to the maximum extent possible, with State plans and activities under the Elementary and Secondary Education Act of 1965, as amended (ESEA); the Rehabilitation Act of 1973, as amended; and the Higher Education Act of 1965, as amended.

SPD activities are intended to support statewide strategies to prepare, recruit, and retain teachers who are qualified under IDEA. Qualified teachers generally: (1) fully meet the applicable State certification and licensure requirements (including any requirements for

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

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### **National activities: State personnel development**

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certification obtained through alternative routes); (2) are prepared to deliver instruction supported by evidence; and (3) are effective in improving outcomes for children with disabilities. States must collaborate and seek the input of teachers, principals, parents, administrators, paraprofessionals, and other school personnel when developing SPD activities.

Research shows that effective teaching is integral to improving the academic achievement of students who are at greatest risk of not meeting State academic standards; for this reason, SPD funds are used to provide training in effective interventions. Examples include positive behavioral interventions and supports to improve student behavior in the classroom, evidence-based reading instruction, early and appropriate interventions to identify and help children with disabilities, effective instruction for children with low incidence disabilities, and strategies for successful transitioning to postsecondary educational opportunities. Funds also assist States in utilizing classroom-based techniques to assist children prior to referral for special education.

In addition to effective interventions, the SPD program supports States in developing and implementing effective strategies for the recruitment and retention of qualified special education teachers, such as teacher mentoring provided by exemplary special education teachers, principals, or superintendents; induction and support for special education teachers during their first 3 years of employment as teachers; and providing incentives, including financial incentives, supports, and leadership opportunities to retain special education teachers who have a track record of success in helping students with disabilities.

Awards are made for periods of 1 to 5 years, with minimum awards to States of not less than \$500,000 and not less than \$80,000 for Outlying Areas. Factors used to determine the amount of each competitive award are: the amount of funds available; the relative population of the State or Outlying Area; the types of activities proposed; alignment of proposed activities with section 612(a)(14) of IDEA, as amended by the ESSA; alignment of proposed activities with the State's personnel standards; alignment of proposed activities with the State's consolidated ESEA Title I and Title II plans; and, as appropriate, the use of evidence-based programs and research.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$38,630
2020	38,630
2021	38,630
2022	38,630
2023	38,630

### **FY 2024 BUDGET REQUEST**

For fiscal year 2024, the Administration requests \$53.6 million for the State Personnel Development (SPD) program, \$15 million more than a fiscal year 2023 appropriation. This request would support approximately \$37.9 million in continuation awards and \$15.6 million in new awards focused on developing and implementing strategies to recruit and retain qualified special education personnel. Personnel shortages and inadequately prepared teachers in special education are among the most pressing and chronic problems facing the field. According to the annual Teacher Shortage Areas Report released by the Department, nearly every state (49) reported a shortage of special education teachers and related service personnel in

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### **National activities: State personnel development**

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the 2020-2021 school year. SPD projects assist in addressing critical State and local needs to enhance personnel preparation and induction to the local educational agency. Projects also provide these personnel with the knowledge and skills to meet the needs and improve the achievement and other outcomes of infants, toddlers, preschoolers, and children with disabilities. The requested increase would support approximately 19 new awards to help States address these critical shortages and equip personnel with the training needed to effectively support children with disabilities.

In addition to new awards, the request would allow the Administration to continue its support of professional development to support a State's comprehensive system of personnel development under Part C of the IDEA and the needs of personnel serving children in preschool through third grade to support early literacy and numeracy, helping to build a strong foundation for learning throughout a child's academic career. Funds may also be used to support a focus on classroom management, improving supports for children with significant needs, improving services for underserved populations, and/or new teacher supports.

The fiscal year 2024 request again includes appropriations language that would provide authority to use SPD funds under section 655 of IDEA to carry out evaluation activities, including support for improved grantee evaluations. SPD is the only program within Part D of IDEA that does not have statutory authority to use funds to evaluate program performance.

The following examples illustrate how SPD funds are improving the knowledge and skills of teachers serving children with disabilities:

- Through the **Florida SPD grant**, schools implement Check & Connect and/or the Strategic Instruction Model, two evidence-based programs that can improve achievement and graduation rates. Three-year trend data show that the dropout rate for students with disabilities is decreasing in high schools that are implementing Check & Connect (from 12.1 to 9.2 percent) and the cohort graduation rate for students with disabilities is increasing (from 76.8 to 84.9 percent). Of the students who participated in a Strategic Instruction Model intervention course, 90.5 percent improved their reading skills (the average pre-test score of 29 percent increased to an average post-test score of 69 percent).
- The **Kansas SPD grant** funds Kansas School Mental Health, a professional development and coaching system designed to integrate school mental health and trauma-informed practices within a district's tiered system of supports. By leveraging school and community resources; facilitating collaboration among school districts and community partners, including mental health providers; and providing professional development, District-Community Leadership Teams (DCLTs) are guided through a structured process which improves outcomes for children/youth and families in alignment with the Kansas State Board of Education's outcomes of social-emotional growth. An important aspect of successfully implementing mental health supports for students is the efficacy of the educators and community partners involved. Of the 74 DCLT members who responded to the Inclusive Multi-Tiered System of Supports Implementation Scale: Mental Health Supplement, 95 percent reported knowing how to implement trauma-responsive practices and 100 percent responded that continued collaboration would improve mental health outcomes for children and youth. DCLTs translated these beliefs into practice, monitoring the progress of 30 students through a trauma-responsive

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### National activities: State personnel development

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support planning process, with 93 percent of students making progress in their targeted areas.

### PROGRAM OUTPUT MEASURES

(dollars in thousands)

Output Measures	2022	2023	2024
<b>Project funding amounts:</b>			
New awards	\$25,721	\$12,891	\$15,620
Continuation awards	12,846	25,675	37,946
Performance evaluation	52	53	53
Peer review of new award applications	11	11	11
<b>Total funding</b>	<b>38,630</b>	<b>38,630</b>	<b>53,630</b>
Average award	1,244	1,071	1,071
<b>Number of awards:</b>			
Number of new awards	12	5	19
Number of continuation awards	19	31	31
<b>Total awards</b>	<b>31</b>	<b>36</b>	<b>50</b>

### PROGRAM PERFORMANCE INFORMATION

#### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To assist State educational agencies in reforming and improving their systems for providing educational, early intervention, and transitional services, including their systems of professional development, technical assistance, and dissemination of knowledge about best practices, to improve results for children with disabilities.**

**Objective 1:** *Provide personnel with the knowledge and skills to meet the needs of, and improve the performance and achievement of, infants, toddlers, preschoolers, and children with disabilities.*

**Objective 2:** *Improve the quality of professional development available to meet the needs of personnel serving infants, toddlers, children and youth with disabilities.*

**Objective 3:** *Implement strategies that are effective in meeting the requirements of section 612(a)(14) of IDEA to take measurable steps to retain highly qualified personnel in areas of greatest need to provide special education and related services.*

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### National activities: State personnel development

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**Measure:** The percentage of SPD-funded initiatives that meet the benchmarks for use of evidence-based professional development practices over time.

Year	Target	Actual
2019	82%	69%
2020	85	81
2021	85	82
2022	82	89
2023	82	
2024	82	

**Additional information:** In 2022, an outside contractor used a random sampling process to select one professional development (PD) initiative for review from 26 SPD grants. Of the 26 SPD grants reviewed, a total of 23, or 88.5 percent, were determined to “meet their respective benchmarks for use of evidence-based PD practices.” The Department provided additional technical assistance to grantees to address declining performance on this measure and to improve the detail provided in the Annual Performance Report (APR) to accurately assess progress.

**Measure:** The percentage of SPD-funded initiatives that meet the benchmark for improvement in implementation over time.

Year	Target	Actual
2019	70%	48%
2020	70	60
2021	70	59
2022	60	48
2023	60	
2024	60	

**Additional information:** Of the 25 PD initiatives in their third year of implementation in 2022 that submitted their APR in time for review, a total of 12, or 48 percent, were deemed to “meet the benchmark for improvement of evidence-based PD practices.” The Department provided additional technical assistance to grantees to address declining performance on this measure and to improve the detail provided in the APR to accurately assess progress.

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### National activities: State personnel development

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**Measure:** The percentage of initiatives that meet targets for their use of funds to sustain SPD-supported practices.

Year	Target	Actual
2019	85%	100%
2020	85	94
2021	85	82
2022	85	89
2023	85	
2024	85	

**Additional information:** Grantee-submitted data describing the cost of the fidelity activities designed to sustain individual initiatives is used to support this measure. Targets for each initiative are set in conjunction with the grantee. Expert panels review the data to determine whether the grantee has met the target for spending on that initiative within 5 percent of the target. In 2022, this measure applied to all 32 SPD grants in their second through final years of funding; however, only 26 grantees submitted their APR in the data collection timeline for the review.

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### **National activities: Technical assistance and dissemination**

(Individuals with Disabilities Education Act, Part D, Subpart 2, Section 663)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

<u>2023 Appropriation</u>	<u>2024 Request</u>	<u>Change</u>
\$45,345	\$55,345	+\$10,000

### **PROGRAM DESCRIPTION**

The Technical Assistance and Dissemination (TA&D) program is the Department's primary vehicle under the Individuals with Disabilities Education Act (IDEA) for identifying, providing, and disseminating information on effective practices to educators, policymakers, service providers, and families of children and youth with disabilities. The program makes competitive awards to provide technical assistance, support model demonstration projects, disseminate useful information, and implement activities that are supported by scientific research. These awards are intended to improve services provided under IDEA, promote academic achievement, and improve outcomes for children and youth with disabilities.

The majority of TA&D program investments support national and regional technical assistance centers that are intended to support the field in implementing Parts B and C of IDEA by expanding the use of evidence-based and promising practices. Centers focus on a variety of critical topics, such as early childhood education, inclusive practices, behavior, literacy, assessment, and secondary transition. Most centers use a service model that provides three levels of technical assistance: (1) intensive, sustained; (2) targeted, specific; and (3) general, universal. At the intensive, sustained level, a small number of States receive on-site, ongoing planned assistance designed to reach an outcome desired by the recipient. Through targeted, specific services, centers support activities based on the topical or technical needs common to multiple recipients. Targeted, specific services can include one-time or short-term events, such as consultation services or presentations at conferences. The centers also provide general, universal technical assistance services that are intended to help broader audiences access information and services through presentations, newsletters, or research syntheses that are made available on center websites. Activities supported through this program are designed to address the needs of a variety of audiences, including teachers, related service personnel, early intervention personnel, administrators, parents, and individuals with disabilities.

The TA&D program also funds model demonstration projects that evaluate the implementation of research findings in typical settings. Models that are found to be effective can then be promoted by the network of TA&D centers. In recent years, the program also has sought to leverage existing resources through improved collaboration and coordination with other related federally funded technical assistance and dissemination activities. TA&D activities promote the application of knowledge to improve practice by determining areas where technical assistance

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

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### **National activities: Technical assistance and dissemination**

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and information are needed, ensuring that materials are prepared in formats that are appropriate for a wide variety of audiences, making technical assistance and information accessible to consumers, and promoting communication links among consumers.

Eligible entities under this program include public entities or agencies (such as State educational agencies, local educational agencies (LEAs), and institutions of higher education), private non-profit organizations, and for-profit organizations. The duration of awards varies with the award's purpose, though most individual awards are made for a period of 5 years.

TA&D activities support the application of knowledge to improve practices among professionals and others involved in providing services that promote academic achievement and improve outcomes for children with disabilities. Through TA&D, the Department focuses on identifying and disseminating evidence-based practices and building capacity at the State and local levels to implement, sustain, and scale-up such practices. For example, these activities have successfully facilitated the expanded use of evidence-based practices such as positive behavioral interventions and supports, which have been implemented in nearly 26,000 schools nationwide, and Multi-Tiered Systems of Support (MTSS), which have been implemented and widely used throughout the country as a framework for delivering differentiated instruction.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$44,345
2020	44,345
2021	44,345
2022	44,345
2023	45,345

### **FY 2024 BUDGET REQUEST**

For fiscal year 2024, the Administration requests \$55.3 million for the Technical Assistance and Dissemination (TA&D) program, \$10.0 million more than the fiscal year 2023 appropriation. Of the funds requested, approximately \$21.8 million (including peer review costs) would be used for new projects, and \$33.5 million would support the continuation of grants made in prior years. Funding will support a variety of TA Centers and Model Demonstration projects aimed at supporting implementation of IDEA Part B and C and spurring innovation in the field. For example, starting in FY2023 the Department will fund an Equity TA Center that supports States and districts in assessing data to determine whether there is significant disproportionality in race and ethnicity with respect to the identification (including identification of children with disabilities with a particular disability), placement in particular education settings, and discipline of students with disabilities consistent with IDEA requirements. The request will also support new and ongoing investments to promote access to IDEA Part C services, support military-connected children with disabilities, and keep students safe in the classroom.

#### **Promoting Access to IDEA Part C Services**

As detailed in the IDEA Part C section of the Congressional Justification, a substantial body of research has shown many children who qualify for Part C early intervention services do not receive them, particularly children of color, children from low-income families and those living in rural areas. The Department intends to invest \$4 million of the fiscal year 2024 request to

## SPECIAL EDUCATION

### **National activities: Technical assistance and dissemination**

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expand access to these vital services for all children with a focus on underserved children. Specifically, the Department requests an additional \$2.0 million for the Early Childhood Technical Assistance Center to provide States with intensive technical assistance on addressing barriers to enrollment. Technical assistance may include helping States analyze their data and develop plans to address service gaps or supporting States in deploying outreach and engagement strategies to underserved areas. Additionally, \$2.0 million would fund evidence-based model demonstration projects aimed at building evidence for activities that expand access to Part C services. These projects will spur innovation in the field such as developing new approaches to addressing fiscal challenges for both States and families or providing novel transportation or virtual tools to connect children in rural or remote areas to services.

### **Supporting Military-Connected Children with Disabilities and Other Highly-mobile Children**

This Administration is dedicated to ensuring that the children of military servicemembers receive access to the best educational supports available and that their academic and social progress are in no way hampered by their parents' service to our Nation. Military-connected children often experience multiple moves, extended separations from family members, increased fear for their parent's safety during deployment, and other stressors related to the unpredictability of military life. Military-connected children with disabilities face additional challenges in their education, especially around permanent change of station transitions. Many military families who move regularly find that it can be challenging to transfer an IEP from school to school. We know that 55 percent of military-connected parents surveyed in a recent study<sup>1</sup> reported a loss of resources and support for their child with disabilities and 42 percent of military-connected parents of children reported that their child's IEP was either changed or not implemented upon arrival at a new duty station.

The Administration is committed to addressing the challenges that military children with disabilities face when transitioning between schools. As such, the Department, within the Biden-Harris Administration report titled Strengthening America's Military Families<sup>2</sup> released in September 2021, committed to collaborating across Federal agencies to address the needs of military families.

In addition to military-connected children, many other highly-mobile children, including children experiencing homelessness, in foster care and children of migratory agricultural workers, frequently change schools. Disruptions in the provision of special education services for highly-mobile children with disabilities when they transition schools negatively impacts academic and developmental outcomes for already at-risk children. Therefore, the Administration is also committed to assisting highly-mobile children with disabilities and their families to ensure continuous access to high-quality services.

The Department believes that there is a critical lack of evidence-base for best practices related to meeting the educational needs of military-connected and other highly-mobile students with disabilities. The Department requests \$6.0 million to establish model demonstration projects designed to build evidence on the most effective ways of meeting the educational needs of these children. For example, further research is needed on how to simplify and streamline the onboarding process for military-connected students with disabilities in a new school system, transferring IEPs between States and school districts without a major disruption in service

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<sup>1</sup> [https://www.militarychild.org/upload/files/MCEC\\_2020EdSurvey\\_digital.pdf](https://www.militarychild.org/upload/files/MCEC_2020EdSurvey_digital.pdf)

<sup>2</sup> [https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening\\_Americas\\_Military\\_Families.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening_Americas_Military_Families.pdf)

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### **National activities: Technical assistance and dissemination**

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delivery, and providing required services to students while they are transitioning schools. Model demonstration projects involve investigating the degree to which a given model can be implemented and sustained in real-world settings, by staff employed in those settings, while achieving outcomes similar to those attained under research conditions. The knowledge gleaned from these projects will support the implementation of evidence-based practices to support and improve outcomes for military-connected children with disabilities, and other highly-mobile children, across the country. This request compliments additional investments to support military-connected and highly-mobile children and their families described in Parent Information Centers and Educational Technology, Media, and Materials.

### **Keeping Our Students Safe and in the Classroom**

Data from the 2017-2018 school year show that 77 percent of all seclusions and 80 percent of all physical restraints were utilized with students with disabilities, despite those students representing only about 13 percent of the total student population.<sup>1</sup> The Administration is deeply concerned that the use of such practices may violate students' civil rights and deny them access to a free, appropriate public education (FAPE) in the least restrictive environment, and may, in extreme circumstances, put children in physical danger or cause death. In addition, the Administration is concerned more broadly about the extent to which exclusionary discipline practices (including in-school and out-of-school suspensions) prevent equal and equitable access to the learning environment, particularly for students with disabilities. The Department will continue to work towards reductions in the use of seclusion, restraint, and exclusionary discipline practices through investments in the National Technical Assistance Center on Positive Social, Emotional, and Behavioral Outcomes for Students with Disabilities and the National Technical Assistance Center on Positive Behavior Interventions and Supports. For example, the National Technical Assistance Center on Positive Social, Emotional, and Behavioral Outcomes for Students with Disabilities can reduce seclusion and restraint by improving State and local capacity to address the social, emotional, and behavioral development of young children with disabilities, while the National Technical Assistance Center on Positive Behavior Interventions and Supports provides schools with guidance on deploying school-wide strategies to improve school climates that can proactively reduce seclusion and restraint.

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<sup>1</sup> <https://ocrdata.ed.gov/specialreports/disciplinereport>

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### National activities: Technical assistance and dissemination

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#### **PROGRAM OUTPUT MEASURES**

(dollars in thousands)

Output Measures	2022	2023	2024
<b>Program Funding:</b>			
Model demonstration projects:			
New	0	\$4,628	\$9,200
Continuations	\$5,552	0	2,164
Subtotal	5,552	4,628	11,364
School climate and behavior:			
New	1,100	1,850	1,500
Continuations	2,945	2,900	4,750
Subtotal	4,045	4,750	6,250
Early childhood:			
New	4,986	0	2,000
Continuations	0	5,814	5,400
Subtotal	4,986	5,814	7,400
Building systems of support:			
New	1,200	750	6,250
Continuations	8,750	8,450	2,950
Subtotal	9,950	9,200	9,200
Effective instruction:			
New	2,000	0	2,000
Continuations	2,000	4,000	2,000
Subtotal	4,000	4,000	4,000
Secondary transition:			
New	0	0	0
Continuations	2,100	2,100	2,100
Subtotal	2,100	2,100	2,100
Sensory Disabilities:			
New	0	12,100	0
Continuations	12,400	1,300	13,400
Subtotal	12,400	13,400	13,400
National Activities:			
New	724	0	566
Continuations	561	1,324	773
Subtotal	1,286	1,324	1,339
Total program funding:			
New	10,011	14,700	21,516
Continuations	34,308	30,515	33,537
Peer review	26	130,130	292
Total	44,345	45,345	55,345

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### National activities: Technical assistance and dissemination

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## PROGRAM PERFORMANCE INFORMATION

### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To assist States and their partners in systems improvement through the integration of scientifically based practices.**

***Objective 1:** States and other recipients of Special Education Technical Assistance and Dissemination program services will implement scientifically or evidence-based practices for infants, toddlers, children, and youth with disabilities.*

***Objective 2:** Improve the quality of Special Education Technical Assistance and Dissemination projects.*

***Objective 3:** The Special Education Technical Assistance and Dissemination program will identify, implement, and evaluate evidence-based models to improve outcomes for infants, toddlers, children, and youth with disabilities.*

Five performance measures were developed for the Technical Assistance and Dissemination program. Three of these measures are annual measures, and two are long-term.

### Annual Performance Measures

The three annual measures deal with the quality, relevance, and usefulness of products and services funded by the program. These measures were developed as part of an effort to make measures relating to technical assistance and dissemination activities more consistent Department-wide but have been adapted to reflect the unique purposes of the TA&D program. The actual data and targets for these measures reflect the performance in the year that the activity took place; in this case, the year the product or service was developed or delivered.

For each of the three annual performance measures, expert panels review a sample of products and services developed by grantees against a listing of evidence-based practices in areas the Department has identified as critical. The sample of grantees included in this measure for each year consists of TA&D centers in their second year or later and 10 State Deaf-Blind programs.

The expert panels review and score all products and services based on an OSEP-designed rubric that is specific to each performance measure, rating the products and services on the extent to which they meet the measure's performance indicators. Scores are weighted by the size of the investment in each program area reviewed.

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### National activities: Technical assistance and dissemination

**Measure:** The percentage of Technical Assistance and Dissemination products and services deemed to be of high quality by an independent review panel of experts qualified to review the substantive content of the products and services.

Year	Target	Actual
2019	90%	91%
2020	90	97
2021	90	97
2022	90	89
2023	90	
2024	90	

**Additional information:** Expert panels review all products and services and score them based on a rubric that assesses the extent to which the content of these materials is: evidence-based, valid, complete, and up-to-date.

**Measure:** The percentage of Technical Assistance and Dissemination products and services deemed by an independent review panel of qualified experts to be of high relevance to educational and early intervention policy or practice.

Year	Target	Actual
2019	93%	97%
2020	93	97
2021	93	100
2022	93	97
2023	93	
2024	93	

**Additional information:** Expert panels review the products and services and score them based on a rubric that assesses the extent to which the content of materials is responsive to priority issues, including challenges confronting the target groups.

**Measure:** The percentage of all Special Education Technical Assistance and Dissemination products and services deemed by an independent review panel of qualified experts to be useful to improve educational or early intervention policy or practice.

Year	Target	Actual
2018	90%	91%
2019	90	89
2020	90	94
2021	90	100
2022	90	100
2023	90	
2024	90	

**Additional information:** Expert panels review the products and services and score them based on a rubric that assesses the extent to which the content of materials can be easily and

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### National activities: Technical assistance and dissemination

quickly adopted or adapted by the target group, and the likelihood that the product or service, if adopted, will produce the desired result.

#### Long-Term Performance Measures

The Department established two long-term measures for this program. Data for the long-term measures are collected every 2 years.

**Measure:** The percentage of effective evidence-based program models developed by model demonstration projects that are promoted to States and their partners through the TA&D Network.

Year	Target	Actual
2014	Baseline	29%
2016	Baseline	29
2018	Baseline	25
2020	Baseline	25
2022	Baseline	22
2024	25	

**Additional information:** This measure was developed in 2010 to provide the Department valuable data on how well model demonstration projects are disseminating effective practices, a key component of this program. The Department defines an “effective program model” as “one that has been sustained in implementation sites beyond the life of the model demonstration project and has experienced some spread to other sites to be effective.” Grantees provide a written summary of follow-up study findings for third-party evaluation. Program models for which core components were sustained at a majority of implementation sites and which experienced some spread to additional staff or sites are rated as “effective.” Only those models deemed effective are included in the calculation, and have their promotion assessed.

**Measure:** The percentage of school districts and service agencies receiving technical assistance and dissemination services regarding scientifically or evidence-based practices for infants, toddlers, children, and youth with disabilities that implement those practices.

Year	Target	Actual
2013	86%	83%
2015	86	100
2017	86	100
2019	83	100
2021	90	90
2023	90	

**Additional information:** Experts review data from States that have received intensive technical assistance from OSEP TA&D Centers in six focus areas. These areas include inclusive practices, instructional strategies, behavior, early intervention, literacy, assessment, and secondary transition.

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### **National activities: Personnel preparation**

(Individuals with Disabilities Education Act, Part D, Subpart 2, Section 662)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

2023 Appropriation	2024 Request	Change
\$115,000	\$250,000	+\$135,000

### **PROGRAM DESCRIPTION**

The Personnel Preparation program helps meet State-identified needs for adequate numbers of fully certified personnel to serve children with disabilities by supporting competitive awards to:

- provide research-based training and professional development to prepare special education, related services, early intervention, and regular education personnel to work with children with disabilities;
- ensure that those personnel are fully qualified and possess the skills and knowledge that are needed to serve children with disabilities; and
- ensure that regular education teachers have the necessary knowledge and skills to provide instruction to students with disabilities in regular education classrooms.

In addition, the Department is required by statute to make competitive grants that support training activities in a few high-priority areas, including personnel development, beginning special educators, personnel to serve children with low incidence disabilities, and leadership personnel.

Personnel Development: This broad authority requires the Department to support at least one of the following activities:

- promoting partnerships and collaborative personnel preparation and training between institutions of higher education (IHEs) and local educational agencies (LEAs);
- developing, evaluating, and disseminating innovative models for the recruitment, induction, retention, and assessment of teachers;
- providing continuous preparation and professional development to support special education and general education teachers and related services personnel;
- developing and improving programs for paraprofessionals to become special educators;
- promoting instructional leadership and improved collaboration between general and special education;

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<sup>1</sup> The GEPA extension expired September 30, 211. Reauthorization for FY 2024 is expected through appropriations action.

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### National activities: Personnel preparation

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- supporting training and professional development at IHEs with an enrollment of students of color of not less than 25 percent; and
- developing and improving programs to train special educators to develop expertise in autism spectrum disorders.

Beginning Special Educators: The Department is also required to make at least one award to: (a) enhance and restructure existing teacher education programs or develop teacher education programs that prepare special education teachers by incorporating an extended clinical learning opportunity, field experience, or supervised practicum (e.g., an additional 5th year), or (b) create and support teacher-faculty partnerships between LEAs and IHEs (e.g., professional development schools) that provide high-quality mentoring and induction opportunities with ongoing support for beginning special educators or in-service support and professional development opportunities.

Personnel to Serve Children with Low Incidence Disabilities: Awards to support personnel to serve children with low incidence disabilities are designed to help ensure the availability of highly qualified personnel by providing financial aid as an incentive for the pursuit of careers in special education, related services, and early intervention. Under this authority, the term “low incidence disabilities” refers to visual or hearing impairments, significant intellectual disabilities, and persistent and severe learning and behavioral problems that need the most intensive individualized supports. Activities include preparing personnel; providing personnel from various disciplines with interdisciplinary training that will contribute to improvements in early intervention and educational outcomes for children with low incidence disabilities; and preparing personnel in the innovative uses of technology to enhance educational outcomes for children with low incidence disabilities; and to improve communication with parents.

Leadership Personnel: These activities help ensure that leadership personnel in both regular and special education have the skills and training to help students with disabilities achieve to high standards. Under this authority, leadership personnel may include teacher preparation and related service faculty, administrators, researchers, supervisors, and principals. Authorized activities include preparing personnel at the graduate, postgraduate, and doctoral levels, and providing interdisciplinary training for various types of leadership personnel.

All Personnel Preparation competitions emphasize the value of incorporating best practices, as determined through research, evaluations, and experience. These include practices related to personnel training and professional development, as well as the provision of special education, related services, and early intervention services. Grants are typically 5 years in length.

While individuals and students are not eligible for awards under the Personnel Preparation program, many grantees are required to use at least 65 percent of their award(s) for student support (e.g., tuition, stipends, and payment of fees). Students who receive financial assistance from projects funded under the program are required to pay back such assistance, either by working for a period of time after they complete their training in the area(s) for which they received training or by making a cash repayment to the Federal Government. In recent years, approximately half of the total funding available under the program has been used to directly support student scholarships.

The Department also makes awards to centers under this program that focus on enhancing the quality of work in a particular topical area through such activities as professional development,

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technical assistance, partnerships, or the development and dissemination of materials and best practices.

Additional support for personnel preparation activities is provided through the State Personnel Development Grants program, under which the Department makes competitive awards to help State educational agencies reform and improve in-service preparation and professional development activities for teachers, including the recruitment and retention of special education teachers.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$87,200
2020	89,700
2021	90,200
2022	95,000
2023	115,000

### FY 2024 BUDGET REQUEST

For fiscal year 2024, the Administration requests \$250.0 million for the Personnel Preparation program, \$135.0 million more than a fiscal year 2023 appropriation. The request would represent the highest level of funding ever provided under the program and a historic investment in the personnel who provide critical services to support the estimated 7.5 million children with disabilities nationwide who receive services under the IDEA. Of the request, approximately \$161.0 million (including peer review costs) would be used for new projects, and \$89.0 million would support the continuation of grants made in prior years.

Every child with a disability deserves access to high quality service providers and educators with the knowledge, skills, dispositions, and experience to meet their unique needs. However, far too many districts and schools nationwide face shortages of qualified special education staff. Over 40 States and Puerto Rico reported significant special education teacher and service provider shortages in school year 2022-2023.<sup>1</sup> These shortages have led some States to increase class sizes or to rely more on more on long-term substitutes or teachers who are not fully credentialed to teach students with disabilities.<sup>2</sup> The shortage of highly qualified teachers can impact a district's ability to provide students with disabilities the services they need that districts must provide. In a national survey of 1,000 special educators, 82 percent of respondents reported there were insufficient special education personnel to adequately serve students with disabilities.<sup>3</sup> And the shortage of special education personnel has become more severe over time. Despite a 5 percent growth in the number of students with disabilities between school years 2007-8 and 2017-18, the number of special educators remained flat.<sup>4</sup>

In addition to the overall shortage, there is an acute shortage of special educators of color. Students of color with disabilities, who make up over half of all students with disabilities, are

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<sup>1</sup> <https://tsa.ed.gov/#/reports>

<sup>2</sup> [https://edpolicyinca.org/sites/default/files/2020-03/r\\_ondrasek\\_feb20\\_v2.pdf](https://edpolicyinca.org/sites/default/files/2020-03/r_ondrasek_feb20_v2.pdf)

<sup>3</sup> National Coalition on Personnel Shortages in Special Education and Related Services, <https://specialedshortages.org/about-the-shortage/>.

<sup>4</sup> 32<sup>nd</sup> and 42<sup>nd</sup> Annual Report to Congress on the Implementation of the IDEA

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served by a special educator workforce that is 82% white.<sup>1,2</sup> Research has shown that a diverse educator workforce has academic and social benefits for all students, particularly students of color.<sup>3</sup>

This request recognizes the need for critical investments in high quality preparation programs that support the development of diverse staff prepared to fill a wide range of roles in the special education pipeline and provide educators with the skills they need to be effective in their practice and keep them in the profession. Additionally, to address persistent gaps between students with disabilities and their peers in reading and writing, as reflected in the 2022 National Assessment of Educational Progress,<sup>4</sup> new grants would focus on ensuring personnel are trained in the most up to date, evidence-based early numeracy and literacy instructional practices to ensure students, such as students with learning disabilities, including dyslexia and dyscalculia and speech-language disabilities, receive high-quality early academic instruction and supports.

Specifically, the request would invest an additional \$30 million in doctoral programs designed to support the development of faculty at institutions of higher education who can prepare future special education teachers and related services providers. Over the next five years, the Administration estimates that these investments will produce an additional 720 faculty members<sup>5</sup> who, in turn, would be able to support the training of an additional 21,000 special educators per year. This investment would greatly expand the future teacher preparation pipeline and ensure that more well-prepared teachers enter the classroom per year than ever before.

In addition, the request would invest \$105 million in pre-service training programs for special education teachers and related services providers, helping meet the needs of students today. Within this amount, \$20 million will be reserved for new projects training teachers at Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions (MSIs), as well as programs with a history of placing well-qualified teachers and service providers in high-need school districts. In total, the Administration estimates that these investments, if sustained, would produce more than 23,000 additional service providers over the next five years, ultimately serving nearly 500,000 students per year.

In addition, the request recognizes that early intervention providers and paraprofessionals are a critical source of support for children with disabilities, working closely with families, certified teachers and service providers to support children with some of the most intensive needs. However, many States are facing shortages of early childhood personnel. According to a recent survey of 50 IDEA Part C Administrators, 98 percent reported a shortage of qualified providers.<sup>6</sup> That is why the request would also invest \$17.5 million in community colleges to support associate degree programs in early childhood education which would grow the pipeline of IDEA Part C and Preschool service providers, and another \$13.5 million to support the development of career ladder programs for currently employed paraprofessionals to obtain their full teaching

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<sup>1</sup> NCES statistics on children served under IDEA, Part B by race/ethnicity in school year 2018-19, [https://nces.ed.gov/programs/digest/d19/tables/dt19\\_204.40.asp](https://nces.ed.gov/programs/digest/d19/tables/dt19_204.40.asp).

<sup>2</sup> The Push to Get More Teachers of Color in Special Education Classrooms, Education Week, <https://www.edweek.org/teaching-learning/the-push-to-get-more-teachers-of-color-in-special-education-classrooms/2019/09>.

<sup>3</sup> <https://learningpolicyinstitute.org/product/diversifying-teaching-profession-brief>

<sup>4</sup> <https://nces.ed.gov/nationsreportcard/>

<sup>5</sup> All estimates in this section are based on historical performance of grantees under this program.

<sup>6</sup> <https://www.ideainfanttoddler.org/pdf/2021-Tipping-Points-Survey.pdf>

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certification and licensure. The Administration estimates that these investments would generate, over the next five years, an additional 7,000 paraprofessionals and nearly 3,400 new teachers.

The request also includes \$32 million for the development of training programs for teacher coaches trained in literacy, social and emotional development, and mental health with a focus on serving students with disabilities. These coaches will be able to provide critical supports to classroom teachers as they work to meet the needs of the diverse learners they serve.

Research has shown that teacher coaches can both improve instruction and student achievement.<sup>1</sup> Furthermore, research has also shown that coaching has helped close racial disparities in discipline through improved teaching practices and student engagement.<sup>2</sup> The Administration estimates that these investments would support more than 12,500 new teacher coaches over the next five years and that they would ultimately be able to support approximately 125,000 teachers each year.

### PROGRAM OUTPUT MEASURES

(dollars in thousands)

Output Measures	2022	2023	2024
<b>Program Funding:</b>			
Low incidence disabilities grants:			
New	0	\$500	\$3,600
Continuations	\$5,721	5,542	2,200
Subtotal	5,721	6,042	5,800
Leadership training grants:			
New	6,689	7,750	30,000
Continuations	23,821	25,943	23,241
Subtotal	30,510	33,693	53,241
Training improvement grants:			
New	6,038	0	10,000
Continuations	0	3,361	4,700
Subtotal	6,038	3,361	14,700
Early childhood grants:			
New	2,000	900	17,500
Continuations	900	2,000	2,900
Subtotal	2,900	2,900	20,400
Pre-service training grants			
New	6,330	13,442	70,036
Continuations	38,437	35,439	35,383
Subtotal	44,767	48,881	105,419
In-Service Support and Retention			
New	0	8,000	5,000
Continuations	2,656	1,403	10,058
Subtotal	2,656	9,403	15,058

<sup>1</sup> <https://journals.sagepub.com/doi/abs/10.3102/0034654318759268>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5302858/>

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Output Measures	2022	2023	2024
Teacher Coaches			
New	0	8,000	24,000
Continuations	0	0	8,000
Subtotal	0	8,000	32,000
Contracts:			
New	1,374	0	0
Continuations	905	2,417	2,487
Subtotal	2,279	2,417	2,487
<u>Total Program Funding:</u>			
New	22,432	38,592	160,136
Continuations	72,441	76,106	88,969
Peer review of new award applications	127	302	895
Total	95,000	115,000	250,000

## PROGRAM PERFORMANCE INFORMATION

### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To prepare service providers and leadership personnel in areas of critical need who are highly qualified to improve outcomes for children with disabilities.**

***Objective 1:** Improve the curricula of IDEA training programs to ensure that personnel preparing to serve children with disabilities are knowledgeable and skilled in practices that reflect the current knowledge base.*

***Objective 2:** Increase the supply of teachers and service providers who are highly qualified for and serve in positions for which they are trained.*

***Objective 3:** Enhance the efficiency of the expenditure of Federal dollars under the program.*

### Annual Performance Measures

The program has five annual performance measures designed to provide information on various aspects of program quality, including outcomes for scholars who receive funding through the program.

Data on these measures for 2021 is expected in fall 2023. These measures are:

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**Measure:** Percentage of projects that incorporate scientifically- or evidence-based practices in their curricula.

Year	Target	Actual
2019	90%	90%
2020	90	96
2021	90	
2022	90	
2023	90	
2024	90	

**Additional Information:** Data are collected and analyzed by a contractor using a panel of five to seven experts, who review a randomly selected sample of grantee course syllabi submitted by funded applicants in the same cohort of grantees.

In 2017, the Department began requiring grantees to operate interdisciplinary projects and, as a result, allowed grantees to use up to 12 months of their project periods for planning purposes. As a result, for all cohorts shown above, syllabi review occurred one year after initial award.

**Measure:** Percentage of scholars who exit training programs prior to completion due to poor academic performance.

Year	Target	Actual
2019	1.9%	1.1%
2020	1.9	0.9
2021	1.9	
2022	1.9	
2023	1.9	
2024	1.9	

**Additional Information:** Grantees submit data annually through the Department Personnel Preparation Data Report Web-based data collection (see: <http://www.oseppdp.ed.gov>).

**Measure:** Percentage of degree/certification recipients who are working in the area(s) for which they are trained upon program completion.

Year	Target	Actual
2019	85%	93%
2020	87	91
2021	90	
2022	90	
2023	90	
2024	90	

**Additional Information:** In 2020, 723 scholars completed their program of study and were employed in the area(s) for which they were trained. The denominator includes scholars who completed their program of study and were not employed in the area(s) for which they were

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trained (67 scholars in 2020) and scholars who completed their program of study and were employed in the area(s) for which they were trained (723 scholars in 2020).

**Measure:** Percentage of degree/certification recipients who are employed in high-need districts.

<b>Year</b>	<b>Target</b>	<b>Actual</b>
<b>2019</b>	85%	85%
<b>2020</b>	85	67
<b>2021</b>	85	
<b>2022</b>	85	
<b>2023</b>	85	
<b>2024</b>	85	

**Additional information:** In calculating this measure, the Department uses employment records submitted by scholars and matches that employment data to school districts in the Common Core of Data (CCD), which are then classified as high-need using free and reduced-price lunch data.

Performance on this measure declined significantly in 2020, which the Department believes was driven, at least in part, by the effects of the COVID-19 pandemic. As noted in the preceding measure, overall rates of employment did not decline significantly, but degree/certification recipients were less likely to teach in high-need districts.

**Measure:** Percentage of degree/certification recipients who are rated as effective by their employers.

<b>Year</b>	<b>Target</b>	<b>Actual</b>
<b>2019</b>	80%	87%
<b>2020</b>	80	85
<b>2021</b>	80	
<b>2022</b>	80	
<b>2023</b>	80	
<b>2024</b>	80	

**Additional information:** In 2020, 563 scholars were rated as effective by their employers. The denominator for this measure includes scholars whose employment records had not been verified by their employers (9 scholars in 2020), scholars who had been deemed as “less than effective” or “ineffective” by their employer (1 scholar in 2020), and scholars who had been deemed “effective” by their employer 563 scholars in 2020).

### Long-Term Performance Measures

The program currently has one long-term measure that tracks the skills of scholars supported with program funds. The Department also is currently piloting a new long-term outcome measure – the percentage of degree/certification recipients who are employed in the field of special education for at least 2 years. The Department is currently reviewing baseline data with the intent of establishing targets in fall 2022.

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**Measure:** Percentage of scholars completing Special Education Personnel Preparation funded training programs who are knowledgeable and skilled in evidence-based practices for children with disabilities.

Year	Target	Actual
2019	90	94
2020	90	85
2021	95	
2022	95	
2023	95	
2024	95	

**Additional Information:** This measure reflects performance on independent exams, such as the Praxis II, that are designed to assess the knowledge and skills of special educators.

### Efficiency Measures

**Measure:** The Federal cost per degree or certification program recipient working in the area(s) in which they were trained upon program completion.

Year	Target	Actual
2019	\$32,500	\$31,291
2020	32,500	36,173
2021	32,500	51,725
2022	32,500	
2023	32,500	
2024	32,500	

**Additional Information:** Results on this measure in 2020 were markedly higher than in prior years. While the increase was largely driven by a higher than usual number of doctoral preparation programs being included in the measure (average cost per program completer of \$152,510 in 2021), costs for both doctoral and masters level programs (average cost per program completer of \$34,705 in 2021) were higher than in prior years. Beginning in fiscal year 2018, the Department began to include matching requirements in some of its training competitions to address this increase, though such requirements were not in place for grantees included in the 2019 calculation.

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### **National activities: Parent information centers**

(Individuals with Disabilities Education Act, Part D, Subpart 3, Sections 671-673)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

2023 Appropriation	2024 Request	Change
\$33,152	\$49,152	+\$16,000

### **PROGRAM DESCRIPTION**

The Parent Information Centers program is one of the primary vehicles under the Individuals with Disabilities Education Act (IDEA) for providing information and training to parents of children with disabilities. The program supports competitive awards to help ensure that:

- Children with disabilities and their parents receive training and information designed to assist these children in meeting developmental and functional goals and challenging academic achievement goals, and in being prepared to lead productive independent adult lives;
- Children with disabilities and their parents receive training and information on their rights, responsibilities, and protections under IDEA, in order to develop the skills necessary to participate effectively in planning and decision-making relating to early intervention, educational, and transitional services; and
- Parents receive coordinated and accessible technical assistance and information to assist them in improving early intervention, educational, and transitional services and results for their children and families.

The IDEA authorizes three types of competitively awarded projects: parent training and information centers, community parent resource centers, and technical assistance for parent centers. The award period for these projects is typically 5 years.

The training and information provided by the centers help ensure that parents and families have the opportunity, knowledge, and skills to help their children with disabilities succeed. In addition to helping parents and families better understand the nature of their children's disabilities and their educational and developmental needs, the centers provide training and information on how parents and families can work with professionals serving their children. For parents of school-aged children, this includes participating with administrators and teachers in the development of their child's individualized education plans (IEPs), as required by the IDEA. For parents of infants and toddlers receiving early intervention services, this means participating with a multidisciplinary team in the development of individualized family service plans (IFSPs).

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

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Centers use a variety of mechanisms to share information with parents, families, and professionals, including one-on-one support, training workshops, and dissemination of best practices. In recent years, the Department's Office of Special Education Programs has worked with the parent centers to improve their websites and make their resources available in languages other than English, particularly Spanish.<sup>1</sup> According to data collected by the centers, families receiving services report a high degree of satisfaction with the services they receive and an increase in their capacity to effectively support their children.

Parent training and information (PTIs) centers must serve parents of children of all ages (birth to 26) and all types of disabilities. The training and information provided by the centers must meet the needs of parents of children with disabilities living in areas served by the centers, particularly underserved parents and parents of children who may be inappropriately identified. At least one award for a parent training and information center must be made in each State, subject to the receipt of acceptable applications. Large and heavily populated States typically have multiple centers that serve designated counties.

The centers also play an important role in dispute resolution by sharing information on the benefits of alternative methods of dispute resolution, such as mediation, which States are required to make available under IDEA. Parent center staff attend or facilitate over 1,000 alternative dispute resolution sessions every year. As part of that role, parent centers are required to meet with parents to explain the IDEA-mandated mediation process. In States where parent centers provide this service, they typically do so through contracts with State educational agencies.

The Department allocates funds to parent centers through a formula based on three weighted indicators of need: State population of ages 0 to 26 (85 percent), child poverty (10 percent), and rural school enrollment (5 percent), with most centers receiving a minimum of \$200,000. No center will receive a reduction of more than 20 percent below the amount of the fiscal year 2014 grant.

Community parent resource centers (CPRCs) are parent training and information centers in smaller, geographically defined areas that are operated by local parent organizations and help ensure underserved parents of children with disabilities, including parents with low incomes, parents of children who are English learners, and parents with disabilities, have the training and information they need to enable them to participate effectively in helping their children. Community parent resource centers are required to establish cooperative partnerships with the parent training and information centers in their States.

Parent technical assistance centers support parent training and information centers and community parent resource centers in areas such as coordinating parent training efforts, disseminating evidence-based research and information, and ensuring the effective use of technology. The parent technical assistance center network maintains a website with a wide variety of information and materials for parents and professionals, as well as a directory of the parent centers (<http://www.parentcenterhub.org/>).

An applicant for a parent center grant must be a parent organization that has a board of directors, the majority of which must be parents of children with disabilities under the age of 26. The board must also include individuals with disabilities and individuals working in the fields of

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<sup>1</sup> For example, see <http://parentcenterhub.org/osep-spanish-glossary/> and <http://www.parentcenterhub.org/resourcelibrary/>.

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special education, related services, or early intervention. The parent and professional members of the board must be broadly representative of the population to be served, including parents with low incomes and parents of English learners.

In addition to providing direct resources for parents and families, parent centers also act as referral points to other resources such as those available under the Technical Assistance and Dissemination program, which coordinates its activities with Parent Information Centers to ensure that parents participating in parent training projects, as well as other parents, have access to valid information that is designed to address their needs.

Together, the PTIs, CPRCs, and Technical Assistance Centers provide training and information to over one million parents and professionals each year. Family involvement in children's learning is critical to ensuring the provision of high-quality education and related services that promote positive educational and life outcomes. Decades of research show that positive school-family partnerships can effectively involve families in their children's learning and improve student achievement.<sup>1</sup> Studies show that all families can take concrete steps that significantly help their children succeed in school, regardless of their income, education, disability status, or knowledge of the English language.<sup>2</sup>

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$27,411
2020	27,411
2021	27,411
2022	30,152
2023	33,152

### FY 2024 BUDGET REQUEST

For fiscal year 2024, the Administration requests \$49.2 million for the Parent Information Centers program, \$16 million more than a fiscal year 2023 appropriation. Of the \$16 million, \$12 million would be used to increase the awards for the 65 existing PTIs and 26 existing CPRCs and fund 25 additional CPRCs. The increase in PTI funding will be fed into the existing parent training and information centers formula and distributed as supplements, ensuring an equitable distribution of funds amongst the existing PTIs to meet needs that have both evolved and increased because of COVID-19. As demonstrated by the program performance data detailed below, Parent Information Centers are highly effective at helping families understand and advocate for the rights of their children. For example, in fiscal year 2021, 90 percent of parents receiving program services reported having enhanced capacity to work with schools and service providers effectively in meeting the needs of their children. Demand for PTI services

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<sup>1</sup> Anne T. Henderson, Karen L. Mapp (2002). A new wave of evidence: The impact of school, family and community connections on student learning. Austin, TX: Southwest Education Development Laboratory (<https://www.sedl.org/connections/resources/evidence.pdf>).

<sup>2</sup> See Lisa Boonk, Hieronymus J.M. Gijssels, Henk Ritzen, Saskia Brand-Gruwel (2018). A review of the relationship between parental involvement indicators and academic achievement. *Educational Research Review* 24, 10-30 (<https://www.sciencedirect.com/science/article/pii/S1747938X18301027>); S. Wilder (2014). Effects of parental involvement on academic achievement: a meta-synthesis. *Educational Review* 66:3, 377-397 (<https://www.tandfonline.com/doi/full/10.1080/00131911.2013.780009?src=recsys>).

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is strong. The additional funding would support PTIs in meeting this demand and ensure parents have the necessary resources to advocate for and support their children.

Furthermore, increased investments in PTIs and CPRCs can address longstanding barriers underserved families face in ensuring children receive appropriate services, particularly low-income families and families of color. For example, a 2019 report from the Government Accountability Office (GAO) found that families in low-income school districts were substantially less likely to engage in the IDEA dispute resolution process, which can help families secure additional services their children require or resolve placement and discipline disputes, than families from high-income school districts.<sup>1</sup> Reasons for the discrepancy cited in the GAO report include challenges low-income families face in paying attorney's fees and feeling at a disadvantage with the school district's knowledge and financial resources. PTIs and CPRCs can therefore play a pivotal role in leveling the playing field by providing families information and direct assistance through the dispute resolution process. A key purpose for the proposed increase in funding is to expand support for underserved families.

### Supporting Military-Connected Children with Disabilities and Other Highly-Mobile Children

This Administration is dedicated to ensuring that the children of military servicemembers receive access to the best educational supports available and that their academic and social progress are in no way hampered by their parents' service to our Nation. Military-connected children often experience multiple moves, extended separations from family members, increased fear for their parent's safety during deployment, and other stressors related to the unpredictability of military life. Military-connected children with disabilities face additional challenges in their education, especially around permanent change of station transitions. Many military families who move regularly find that it can be challenging to transfer an IEP from school to school. Fifty-five percent of military-connected parents surveyed in a recent study reported a loss of resources and support for their child with disabilities and 42 percent of military-connected parents of children reported that their child's IEP was either changed or not implemented upon arrival at a new duty station.<sup>2</sup>

In addition to military-connected children, many other highly-mobile children, including children experiencing homelessness, in foster care and children of migratory agricultural workers, frequently change schools. Disruptions in the provision of special education services for highly-mobile children with disabilities when they transition schools negatively impacts academic and developmental outcomes for already at-risk children. Therefore, the Administration is also committed to assisting highly-mobile children with disabilities and their families to ensure continuous access to high-quality services.

To address the unique needs of military-connected families and other highly-mobile families, the request includes \$4 million to establish a national Technical Assistance Center focused on meeting the needs of military-connected families and other highly-mobile student populations. This request compliments additional investments to support military-connected and highly-mobile children and their families described in Technical Assistance and Dissemination and the Educational Technology, Media, and Materials. The Center will provide families with a single point of contact for support including promoting consistent access to needed special education

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<sup>1</sup> <https://www.gao.gov/products/gao-20-22>

<sup>2</sup> [https://www.militarychild.org/upload/files/MCEC\\_2020EdSurvey\\_digital.pdf](https://www.militarychild.org/upload/files/MCEC_2020EdSurvey_digital.pdf)

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and related services during and after moves, ensuring individualized education programs are properly transferred and helping families navigate new State and local requirements and multiple evaluations of their children. The Center will also provide resources and training for PTIs and CPRCs on how to best support military-connected and other highly-mobile children.

### **PROGRAM OUTPUT MEASURES**

(dollars in thousands)

Output Measures	2022	2023	2024
<b>Program Funding:</b>			
Parent Training & Information Centers:			
New	0	0	0
Continuations	\$21,317	\$24,123	\$21,158
Supplements	2,571	2,570	11,219
Subtotal	23,888	26,693	32,377
Community Parent Resource Centers:			
New	120	0	5,000
Continuations	3,000	3,120	3,120
Supplements:	0	0	1,300
Subtotal	3,120	3,120	9,420
Technical Assistance Centers:			
New	0	2,940	4,000
Continuations	2,781	0	2,940
Subtotal	2,781	2,940	6,940
Total Program Funding:			
New	120	2,940	9,000
Continuations	27,098	27,243	27,218
Supplements	2,571	2,570	12,519
Contracts	363	383	383
Peer Review of new award applications	0	16	32
Total	30,152	33,152	49,152

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#### Number of Projects:

##### Parent Training & Information Centers:

New	0	0	0
Continuations	65	65	65

##### Community Parent Resource Centers:

New	1	0	25
Continuations	25	26	26

##### Technical Assistance Centers:

New	0	5	1
Continuations	5	0	5

##### Total number of projects:

New	1	5	26
Continuations	95	91	96
Total	96	96	122

## PROGRAM PERFORMANCE INFORMATION

### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal: To provide training and information to parents of children with disabilities.**

**Objective 1:** *Improve the quality of parent training and information projects.*

**Objective 2:** *Parents served by Special Education Parent Information Centers will be knowledgeable about their IDEA rights and responsibilities.*

**Objective 3:** *Parents served by Special Education Parent Information Centers will be able to advocate for scientifically or evidence-based practices for their child.*

Six performance measures have been developed for the Parent Information Centers program. There are three annual measures, two long-term measures, and one efficiency measure.

#### Annual Performance Measures

The three annual measures deal with the quality, relevance, and usefulness of products and services provided by the program. These measures were developed as part of a cross-departmental effort to make measures relating to technical assistance and dissemination activities more consistent Department-wide. However, the measures were adapted to reflect the unique purposes of the Parent Information Centers program. The measures are:

## SPECIAL EDUCATION

### National activities: Parent information centers

**Measure:** The percentage of materials disseminated by Parent Training and Information Center Program projects deemed to be of high quality by an independent review panel of experts qualified to review the substantive content of the products or services.

Year	Target	Actual
2019	93%	94%
2020	93	100
2021	93	93
2022	93	97
2023	93	
2024	93	

**Additional Information:** Data are collected and analyzed by a contractor, using expert panels of reviewers who assess grant implementation by reviewing a randomly selected sample of materials disseminated by centers for the purpose of training and informing parents.

**Measure:** The percentage of Parent Training and Information Center Program products and services deemed to be of high relevance to educational and early intervention policy or practice by an independent review panel of qualified experts with appropriate expertise to review the substantive content of the products or services.

Year	Target	Actual
2019	93%	84%
2020	93	97
2021	93	97
2022	93	97
2023	93	
2024	93	

**Additional Information:** Data are collected and analyzed by a contractor, using panels of special education parent stakeholders to review a randomly selected sample of materials disseminated by centers for the purpose of training and informing parents.

**Measure:** The percentage of all Parent Training and Information Center Program products and services deemed by an independent review panel of qualified experts to be useful to improve educational or early intervention policy or practice.

Year	Target	Actual
2019	93%	77%
2020	93	100
2021	93	93
2022	93	97
2023	93	
2024	93	

**Additional Information:** Data are collected and analyzed by a contractor, using panels of special education parent stakeholders to review a randomly selected sample of materials.

## SPECIAL EDUCATION

### National activities: Parent information centers

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#### Long-Term Performance Measures

Two long-term measures have been developed for the program. Data are collected every 2 years through a survey of parents who received services from the parent centers. Baseline data were collected in fiscal years 2017 and 2019 and targets for 2021 were established in late 2019.

**Measure:** The percentage of parents receiving Special Education Parent Information Centers services who report having enhanced capacity to work with schools and service providers effectively in meeting the needs of their children.

Year	Target	Actual
2019	Baseline	87%
2021	87	90
2023	87	

**Additional Information:** Data for the measure are collected by the parent centers every two years by mail, on-line survey, or telephone interview from a randomized list of parents served by each center. Each randomized list must yield responses from at least 1 percent of the parents served by each center.

**Measure:** The percentage of parents receiving Special Education Parent Information Centers services who report enhanced knowledge of IDEA rights and responsibilities.

Year	Target	Actual
2019	Baseline	94%
2021	93	95
2023	93	

**Additional Information:** Data for the measure are collected by the parent centers every two years by mail, on-line survey, or telephone interview from a randomized list of parents served by each center. Each randomized list must yield responses from at least 1 percent of the parents served by each center.

#### Efficiency Measure

The calculation of the efficiency measure was modified for the program. The target for 2022 will be informed by baseline data from fiscal years 2019, 2020, and 2021.

**Measure:** An index of the Federal cost per unit of output provided by the Special Education Parent Training and Information Centers.

Year	Target	Actual
2019	Baseline	23
2020	Baseline	21
2021	Baseline	15
2022	19	14
2023	19	
2024	19	

## SPECIAL EDUCATION

### National activities: Parent information centers

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**Additional Information:** The efficiency measure for the PTIs program is “the index of Federal cost per unit of output.” The calculation of the Federal index of cost per unit of technical assistance is the total Federal cost of PTI grant funding for a given fiscal year divided by the sum of the numbers of parents and professionals receiving technical assistance during that fiscal year. Technical assistance is defined as: (1) letters, telephone calls, and e-mail exchanges; (2) the provision of training, participation in meetings, and home visits; and (3) participation in extended services, including IEP meetings, mediation sessions, and resolution sessions. The Department notes that it is difficult to attribute increases or decreases under this measure to the Federal share of funds due to the variability in other sources of funding. The result is expressed as an index of cost rather than a cost in dollars.

In fiscal year 2022, 2,106,570 services were provided to parents and professionals across the three technical assistance categories, and the total amount of program funding was \$30,152,000, yielding an index of cost of 14.3.

## SPECIAL EDUCATION

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### **National activities: Educational technology, media, and materials**

(Individuals with Disabilities Education Act, Part D, Subpart 3, Section 674)

(dollars in thousands)

FY 2024 Authorization: To be determined<sup>1</sup>

Budget Authority:

<u>2023 Appropriation</u>	<u>2024 Request</u>	<u>Change</u>
\$31,433	\$41,433	+\$10,000

### **PROGRAM DESCRIPTION**

The Educational Technology, Media, and Materials program is the primary source of support for accessible technology and media-related activities under the Individuals with Disabilities Education Act (IDEA). The program supports two broad categories of activities: (1) accessible technology, and (2) educational media and materials.

Technology activities are generally designed to promote the development, demonstration, and use of accessible technology. The technology component of the program also supports research on using technology to improve outcomes for students with disabilities, as well as technical assistance and dissemination activities to enhance the use of technology by students, parents, and teachers. Media and materials activities focus on closed captioning, video description, timely provision of books and other educational materials in accessible formats, and other activities to improve access to education for students with disabilities.

The 21st Century Communications and Video Accessibility Act of 2010 expanded the range of media that must be closed captioned and updated accessibility standards to include emerging Internet and mobile technologies. However, significant gaps in captioning coverage remain. The Educational Technology, Media, and Materials program helps ensure educational media that are not otherwise required to be made accessible are available to students with disabilities. For example, mandatory captioning only applies to broadcast television, not to video broadcast solely over the Internet or video produced for classroom viewing. Funding for this program helps increase the accessibility of learning content and materials by supporting the captioning and nationwide distribution of thousands of titles of educational media each year.

Video description is used to make video and other media with visual content accessible for people who are blind or visually impaired. Audio-narrated descriptions of key visual elements in a video or television program are inserted into natural pauses in the spoken dialogue, supplementing the regular audio track of the program by providing additional context. Federal law requires television broadcast stations affiliated with the top four commercial broadcasting corporations (ABC, CBS, FOX and NBC) and licensed to the top 60 Designated Market Areas (i.e., unique, county-based geographic areas designated by The Nielsen Company, a television audience measurement service based on television viewership) and the five most watched non-

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<sup>1</sup> The GEPA extension expired September 30, 2011. Reauthorization for FY 2024 is expected through appropriations action.

## SPECIAL EDUCATION

### **National activities: Educational Technology, media, and materials**

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broadcast networks to provide 50 hours of video description per calendar quarter. The video description must be of prime time or children's television programming. Educational media and materials funds support video description for other video programming, including educational materials intended for use in the classroom and increasingly popular Internet media, that are not subject to description requirements. The IDEA requires that description and captioning funds be used only for programs that are suitable for use in classroom settings, and program funds may not be used to describe or caption news programs, even when they are suitable for use in classrooms.

Educational materials activities include the preparation of electronic files suitable for efficient conversion into specialized accessible formats. The educational materials provided by this program are intended to support students' access to the general curriculum and participation in statewide assessments. The single largest grant in this program provides funding for the production and distribution of textbooks and other educational materials in accessible formats to students with visual impairments and other print disabilities. Due to recent advances in digital technologies, these activities can be accomplished more efficiently than ever before.

The Department makes competitive awards for projects throughout the fiscal year. The duration of awards typically varies from 3 to 5 years.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$28,047
2020	29,547
2021	29,547
2022	30,433
2023	31,433

### **FY 2024 BUDGET REQUEST**

For fiscal year 2024, the Administration requests \$41.3 million for the Educational Technology, Media, and Materials program, \$10 million above the 2023 appropriation. Of the request, approximately \$14.8 million would be used to support new awards for research in educational technology and technical assistance and approximately \$26.5 million would be used to support continuations for awards made in previous years.

Projects funded under the program support improved access to and participation in the general education curriculum, developmentally appropriate activities for preschool children, and statewide assessments. By supporting research on and dissemination of accessible instructional materials and technology, this program helps ensure students with disabilities receive a free appropriate public education, consistent with the requirements of the IDEA. The program also funds innovations in accessible technologies and broadens the understanding of how technology can be used effectively to increase academic achievement. The Administration believes increased access and participation supported by this program results in higher expectations and improved opportunities and outcomes for children with disabilities.

## SPECIAL EDUCATION

### National activities: Educational Technology, media, and materials

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#### Supporting Military-Connected Children with Disabilities and Other Highly-Mobile Children

This Administration is dedicated to ensuring that the children of military servicemembers receive access to the best educational supports available and that their academic and social progress are in no way hampered by their parents' service to our Nation. Military-connected children often experience multiple moves, extended separations from family members, increased fear for their parent's safety during deployment, and other stressors related to the unpredictability of military life. Military-connected children with disabilities face additional challenges in their education, especially around change of station transitions. Many military families who move regularly find that it can be challenging to access and transfer an IEP from school to school leading to gaps in services for children that impact their academic and developmental outcomes. We know that 55 percent of military-connected parents surveyed in a recent study<sup>1</sup> reported a loss of resources and support for their child with disabilities and 42 percent of military-connected parents of children reported that their child's IEP was either changed or not implemented upon arrival at a new duty station.

The Administration is committed to addressing the challenges that military children with disabilities face when transitioning between schools. As such, the Department, within the Biden-Harris Administration report titled Strengthening America's Military Families<sup>2</sup> released in September 2021, committed to collaborating across Federal agencies to address the needs of military families.

In addition to military-connected children, many other highly-mobile children, including children experiencing homelessness, in foster care and children of migratory agricultural workers, frequently change schools. Disruptions in the provision of special education services for highly-mobile children with disabilities when they transition schools negatively impacts academic and developmental outcomes for already at-risk children. Therefore, the Administration is also committed to assisting highly-mobile children with disabilities and their families to ensure continuous access to high-quality services.

The Administration believes that all military-connected and highly-mobile children with disabilities must receive the services to which they are entitled under the IDEA. The Administration is requesting \$10.0 million to issue grants to support the development, demonstration, and implementation of innovative technology tools that address challenges and barriers experienced by these children and their families during transition periods. This request compliments additional investments to support military-connected and highly-mobile children and their families described in Technical Assistance and Dissemination and Parent Information Centers.

Specifically, the requested increase would support two types of technology-based solutions to empower and support military-connected students and their families. The requested increase would allow the Department to invest in the development and implementation of digital platforms that provide families with direct and immediate access to their child's IEP and facilitate the timely transfer of IEPs between sending and receiving LEAs with all the necessary security to protect student privacy. This investment will ensure students' new schools have immediate access to current IEPs, minimizing disruptions in students' services.

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<sup>1</sup> [https://www.militarychild.org/upload/files/MCEC\\_2020EdSurvey\\_digital.pdf](https://www.militarychild.org/upload/files/MCEC_2020EdSurvey_digital.pdf)

<sup>2</sup> [https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening\\_Americas\\_Military\\_Families.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/09/Strengthening_Americas_Military_Families.pdf)

## SPECIAL EDUCATION

### National activities: Educational Technology, media, and materials

Unfortunately, no matter how seamless the transfer of a child's IEP might be, there will always be some period of transition from one school or another during which continued provision of services has always been difficult. While States and school districts will continue to have an ongoing obligation to ensure the provision of FAPE to these students, the requested increase will also spur the development of a suite of tools to support the provision of special education and related support services during periods of transition for military-connected children with disabilities, and other populations that transfer frequently between schools. Projects may support activities such as the development of digital speech and occupational therapy resources as well as educational tools, specifically designed for highly-mobile children, which will aid in minimizing disruptions and learning loss.

### PROGRAM OUTPUT MEASURES

(dollars in thousands)

Output Measures	2022	2023	2024
<b>Program Funding:</b>			
<u>Technology:</u>			
Research:			
New	0	\$5,300	\$11,500
Continuations	\$8,466	6,947	8,543
Subtotal	8,466	12,247	20,043
Technical assistance and dissemination:			
New	500	2,150	0
Continuations	2,661	1,491	3,135
Subtotal	3,161	3,641	3,135
Projects to address the postsecondary, vocational, technical, and adult education needs of individuals with deafness:			
New	0	0	0
Continuations	1,000	1,000	1,000
Subtotal	1,000	1,000	1,000
<u>Media and Materials:</u>			
Captioned and described accessible media:			
New	0	0	1,786
Continuations	3,998	4,873	3,992
Subtotal	3,998	4,873	5,778
Books and other instructional materials in accessible formats:			
New	11,457	0	0
Continuations	0	6,543	9,000
Subtotal	11,457	6,543	9,000

## SPECIAL EDUCATION

### National activities: Educational Technology, media, and materials

Output Measures	2022	2023	2024
National Instructional Materials Access Center (NIMAC):			
New	0	0	1,200
Continuations	1,756	2,550	650
Subtotal	1,756	2,550	1,850
<b>Other</b> (e.g., program evaluation contracts):			
New	207	0	305
Continuations	303	532	227
Subtotal, Other	510	532	532
<b>Total Program Funding:</b>			
New	12,163,996	7,450	14,792
Continuations	18,183,861	23,936	26,546
Frontloading	46	0	0
Peer review	38	47	95
Total	30,433	31,433	41,433

## PROGRAM PERFORMANCE INFORMATION

### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

#### Annual Performance Measures

The three annual measures deal with the relevance, quality, and usefulness of products and services provided by the program.

For each of the three annual performance measures that follow, a contractor collects and analyzes data based on input from two panels of subject matter experts who review a sample of products and services developed by grantees against a listing of evidence-based practices in key target areas the Department has identified as critical. The sample of grantees included in this measure for each year consists of projects from across all areas of this program. Products and services are divided into the categories of policy and practice.

**Goal: To promote the development, demonstration, and use of accessible technology and media services to improve results for infants, toddlers, children, and youth with disabilities.**

**Objective:** *Improve the quality of products produced by projects in the Special Education Educational Technology, Media, and Materials program.*

## SPECIAL EDUCATION

### National activities: Educational Technology, media, and materials

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**Measure:** The percentage of Educational Technology, Media, and Materials projects judged to be of high quality.

Year	Target	Actual
2019	90%	88%
2020	90	93
2021	90	89
2022	90	100
2023	90	
2024	90	

**Additional Information:** Of the 16 products and services reviewed in the sample, all were reported to be of high quality by the Science Expert Panel.

**Measure:** The percentage of Educational Technology, Media, and Materials projects judged to be of high relevance to improving outcomes of infants, toddlers, children and youth with disabilities.

Year	Target	Actual
2019	90%	100%
2020	90	93
2021	90	100
2022	90	100
2023	90	
2024	90	

**Additional Information:** Of the 16 products and services reviewed in the sample, all were reported to be of high relevance by the Science Expert Panel.

**Measure:** The percentage of Special Education Educational Technology, Media, and Materials projects and services judged by an independent review panel of qualified experts to be useful in improving results for infants, toddlers, children and youth with disabilities.

Year	Target	Actual
2019	90%	100%
2020	90	100
2021	90	100
2022	90	100
2023	90	
2024	90	

**Additional information:** Of the 16 products and services reviewed in the sample, all were reported to be of high relevance by the Science Expert Panel.

## SPECIAL EDUCATION

### National activities: Educational Technology, media, and materials

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#### Efficiency Measures

The Department established two efficiency measures for the Educational Technology, Media, and Materials program that provide data on accessible book distribution and on video captioning and description projects, respectively.

**Measure:** The Federal cost per download from the accessible educational materials production and distribution project funded by the Educational Technology, Media, and Materials program.

Year	Target	Actual
2019	\$4.0	\$5.0
2020	4.0	4.9
2021	4.7	5.8
2022	4.7	6.0
2023	4.7	
2024	4.7	

**Additional Information:** In FY 2022, 1,428,489 accessible materials downloads were provided to users, while the OSEP funding award for this work was \$8,500,000. The target was revised downward in 2015 and 2018 to reflect the decreasing costs per unit but increased in 2021.

**Measure:** The Federal cost per hour of video description funded by the Educational Technology, Media, and Materials program.

Year	Target	Actual
2019	\$2,000	\$2,529
2020	2,000	2,547
2021	2,200	2,066
2022	2,200	2,815
2023	2,200	
2024	2,200	

**Additional information:** The 2020 target was increased to provide a more realistic goal for this measure given the actual costs reported. Also, as has been seen with the costs of captioning, despite the costs of new technology decreasing over time, labor costs typically rise more rapidly, pushing the overall costs up.

## SPECIAL EDUCATION

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### **Special Olympics education programs**

(Special Olympics Sport and Empowerment Act of 2004, Section 3(a))

(dollars in thousands)

FY 2024 Authorization: Indefinite

Budget Authority:

2023 Appropriation	2024 Request	Change
\$36,000	\$36,000	0

### **PROGRAM DESCRIPTION**

The Special Olympics Sport and Empowerment Act of 2004 authorizes the Department of Education to make discretionary grant awards to the Special Olympics to support activities in a number of areas related to the Special Olympics. The Department of Education is authorized to make awards for:

- activities to promote the expansion of Special Olympics, including activities to increase the participation of individuals with intellectual disabilities within the United States; and
- the design and implementation of Special Olympics education programs, including character education and volunteer programs that support the purposes of the Special Olympics Sport and Empowerment Act of 2004, that can be integrated into classroom instruction and are consistent with academic content standards.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2019	\$17,583
2020	20,083
2021	23,683
2022	31,000
2023	36,000

### **FY 2024 BUDGET REQUEST**

For fiscal year 2024, the Administration requests \$36.0 million for Special Olympics education programs, level with the fiscal year 2023 appropriation. The request would support efforts to promote the expansion of Special Olympics and the design and implementation of Special Olympics education programs.

The Special Olympics National Youth Activation Demonstration (Unified Champion Schools, previously referred to as Project UNIFY), a national youth sports demonstration and education program, is the major activity funded by this direct appropriation. In addition to sports and physical education in integrated settings, this program also provides opportunities for youth to participate in leadership development, service learning, and structured interpersonal

## SPECIAL EDUCATION

### Special Olympics education programs

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communication and socialization activities. In general, Special Olympics program activities assist individuals with intellectual disabilities in being productive members of their communities by dispelling negative stereotypes and promoting positive and inclusive learning environments.

### PROGRAM OUTPUT MEASURES

(dollars in thousands)

Output Measures	2022	2023	2024
Unified Champion Schools			
Number of funded State programs	49	49	49
Number of schools participating	8,358	8,500	8,500

### PROGRAM PERFORMANCE INFORMATION

#### Performance Measures

This section presents selected program performance information, including, for example, program goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the Federal resources provided for the program as well as the resources and efforts invested by those served by the program.

**Goal:** To increase the inclusion and awareness of students with intellectual disabilities.

**Objective:** *The Special Olympics will improve awareness about students with intellectual disabilities.*

**Measure:** The percent of school liaisons who report that Unified Champion Schools helps raise awareness about students with intellectual disabilities.

Year	Target	Actual
2019	70%	77%
2020	70	68
2021	75	67
2022	75	60
2023	75	
2024	75	

**Additional information:** Data are collected by external evaluators who survey school liaisons at the end of each program year. School liaisons are volunteers, typically teachers, who administer Special Olympics programming at the school level. Special Olympics includes those survey responses that indicate the program “made a big difference” (scores of 4 or 5 on the survey’s Likert scale) in the numerator used to calculate the actual performance.

## SPECIAL EDUCATION

### Special Olympics education programs

**Measure:** The percent of school liaisons who report that Unified Champion Schools increases opportunities for students with intellectual disabilities to be involved in school activities.

Year	Target	Actual
2019	61%	79%
2020	65	68
2021	65	67
2022	65	58
2023	65	
2024	65	

**Additional information:** Data are collected by external evaluators who survey school liaisons at the end of each program year. School liaisons are volunteers, typically teachers, who administer Special Olympics programming at the school level. Special Olympics includes those survey responses that indicate the program “made a big difference” (scores of 4 or 5 on the survey’s Likert scale) in the numerator used to calculate actual performance.

**Objective:** *The Special Olympics will increase opportunities for K-12 students with intellectual disabilities to participate in inclusive school activities.*

**Measure:** The number of schools participating in Unified Champion Schools.

Year	Target	Actual
2019	6,800	7,623
2020	7,000	7,868
2021	7,500	7,329
2022	7,500	8,358
2023	7,500	
2024	7,500	

**Additional information:** The decrease in participation rates from 2020 to 2021 is due to the impact of the national COVID-19 pandemic on schools. Participation rates increased in 2022 and the Department expects participation rates to again increase in 2023.

**Measure:** The number of schools participating in a Unified Champion Schools High Activation Program.

Year	Target	Actual
2019	4,500	4,744
2020	5,000	5,841
2021	5,500	5,265
2022	5,500	5,595
2023	5,500	
2024	5,500	

**Additional information:** High Activation schools feature a higher intensity and variety of activities, and, therefore, are likely to have a larger impact on participating students. Building Bridges schools offer fewer activities and generally include schools that are new to the program. The decrease in participation rates from 2020 to 2021 is due to the impact of the national COVID-19 pandemic on schools. Participation rates increased in 2022 and the Department expects participation rates to again increase in 2023.

## SPECIAL EDUCATION

### Special Olympics education programs

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#### Efficiency Measures

**Objective:** *The Special Olympics will develop efficient programs at the national, State, and school level.*

**Measure:** The average total Federal cost per school.

Year	Target	Actual
2019	\$2,500	\$1,979
2020	2,500	2,235
2021	2,500	2,740
2022	2,500	2,833
2023	2,500	
2024	2,500	

**Measure:** The percent of Federal funds spent on administration.

Year	Target	Actual
2019	20%	16%
2020	20	18
2021	20	12
2022	20	
2023	20	
2024	20	

**Additional information:** The Department believes that these targets will slow cost growth for the program in future years.

## SPECIAL EDUCATION

### Account Summary Table

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#### DEPARTMENT OF EDUCATION FISCAL YEAR 2024 PRESIDENT'S BUDGET (in thousands of dollars)

	Cat Code	2022 Appropriation	2023 Appropriation	2024 President's Budget Request	FY 2024 President's Budget Request Compared to FY 2023 Appropriation	
					Amount	Percent
<b>Special Education</b>						
<b>1. State grants:</b>						
<b>(a) Grants to States (IDEA B-611)</b>						
Annual appropriation	D	4,060,321	4,910,321	6,975,810	2,065,489	42.06%
Advance for succeeding fiscal year	D	9,283,383	9,283,383	9,283,383	0	0.00%
Subtotal		13,343,704	14,193,704	16,259,193	2,065,489	14.55%
<b>(b) Preschool grants (IDEA B-619)</b>						
Preschool grants (IDEA B-619)	D	409,549	420,000	502,620	82,620	19.67%
<b>(c) Grants for infants and families (IDEA C)</b>						
Grants for infants and families (IDEA C)	D	496,306	540,000	932,000	392,000	72.59%
Subtotal, State grants		14,249,559	15,153,704	17,693,813	2,540,109	16.76%
<b>2. National activities (IDEA D):</b>						
<b>(a) State personnel development (subpart 1)</b>						
State personnel development (subpart 1)	D	38,630	38,630	53,630	15,000	38.83%
<b>(b) Technical assistance and dissemination (section 663)</b>						
Technical assistance and dissemination (section 663)	D	44,345	45,345	55,345	10,000	22.05%
<b>(c) Personnel preparation (section 662)</b>						
Personnel preparation (section 662)	D	95,000	115,000	250,000	135,000	117.39%
<b>(e) Parent information centers (sections 671-673)</b>						
Parent information centers (sections 671-673)	D	30,152	33,152	49,152	16,000	48.26%
<b>(f) Educational technology, media, and materials (section 674)</b>						
Educational technology, media, and materials (section 674)	D	30,433	31,433	41,433	10,000	31.81%
Subtotal, National activities		238,560	263,560	449,560	186,000	70.57%
<b>3. Special Olympics education programs (Special Olympics Sport and Empowerment Act)</b>						
Special Olympics education programs (Special Olympics Sport and Empowerment Act)	D	31,000	36,000	36,000	0	0.00%
<b>Total, Appropriation</b>						
Discretionary	D	14,519,119	15,453,264	18,179,373	2,726,109	17.64%
Current		5,235,736	6,169,881	8,895,990	2,726,109	44.18%
Prior year's advance		9,283,383	9,283,383	9,283,383	0	0.00%
<b>NOTES:</b>						
1) D = discretionary program; M = mandatory programs						
2) Detail may not add to totals due to rounding.						