



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

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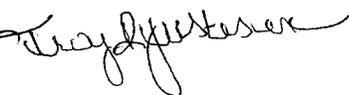
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OSEP 05 -1 2

**MEMORANDUM**

**TO:** Chief State School Officers, State Directors of Special Education, and State Data Managers

**FROM:** Troy R. Justesen   
Acting Director  
Office of Special Education Programs (OSEP)

**SUBJECT:** Part B State Performance Plan (Part B – SPP) and Annual Performance Report (Part B – APR)

**ACTION REQUIRED:** Submission of Part B State Performance Plan by December 2, 2005

The Individuals with Disabilities Education Improvement Act of 2004, signed on December 3, 2004, became PL 108-446. In accordance with 20 U.S.C. 1416(b)(1), not later than 1 year after the date of enactment of the Individuals with Disabilities Education Improvement Act of 2004, each State must have in place a performance plan that evaluates the State's efforts to implement the requirements and purposes of Part B and describe how the State will improve such implementation. This plan is called the Part B State Performance Plan (Part B – SPP). In accordance with 20 U.S.C. 1416(b)(2)(C)(ii) the State shall report annually to the public on the performance of each local educational agency located in the State on the targets in the State's performance plan. The State also shall report annually to the Secretary on the performance of the State under the State's performance plan. This report is called the Part B Annual Performance Report (Part B – APR).

Information Collection 1820-0624, *Part B State Performance Plan (Part B – SPP) and Annual Performance Report (Part B – APR)*, contains both Part B – SPP and Part B – APR instructions. The instruction sheet is divided into three sections: 1) General Instructions (SPP/APR (1) and SPP/APR (2)); 2) State Performance Plan (SPP Template – Part B (3)); and 3) Annual Performance Report (APR Template – Part B (4)). States are encouraged to make note of the following due dates and implement a development schedule accordingly: 1) Part B – SPP submission date – December 2, 2005; 2) Part B – APR submission date – February 1, 2007 through 2012.

When completing the Part B – SPP, due December 2, 2005, States will need to use the following parts of Information Collection 1820-0624:

Part B – SPP Materials –

- Part B – SPP Instructions
- Part B Indicator/Measurement Table with Instructions

- Attachment 1: Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings [Effective General Supervision Part B / General Supervision (Indicators 16, 17, 18, and 19)]
- Part B – SPP Template

As noted in the conference report to HR 1350, it is Congress' expectation that SPPs, indicators, and targets will be developed with broad stakeholder input and public dissemination. Therefore, the State must provide information in the Overview to State Performance Plan Development to clarify how the State: 1) Obtained 'broad input' from stakeholders; and 2) Will disseminate the SPP to the public. The *Part B Indicator Measurement Table* lists the Monitoring Priorities and Indicators, data sources and measurement and instructions for providing the required information for each indicator.

To submit a Part B – SPP submit a copy due December 2, 2005 to the following address:

U.S. Department of Education  
ATTN: Gwendolyn A. Gage / Mail Stop 2600  
7100 Old Landover Road  
Landover, MD, 20785-1506

If available, a corresponding electronic text file of the Part B – SPP should be submitted to [OSERS.bapr@ed.gov](mailto:OSERS.bapr@ed.gov)

The submission requirements, tables, and populated templates that should be used to complete the Part B – SPP can be accessed electronically at <http://www.ed.gov/policy/speced/guid/idea/monitor/index.html>.

Supporting information for the Part B – SPP is maintained at [www.federalresourcecenter.org/frc/sppb.htm](http://www.federalresourcecenter.org/frc/sppb.htm).

If you have any further questions about the Part B – SPP and/or Part B – APR and/or the submission requirements mentioned above, please contact your Part B State contact.

Enclosures

cc: Federal Resource Center  
Regional Resource Centers  
National Early Childhood Technical Assistance Center (NECTAC)