

Part B State Performance Plan (SPP) and Annual Performance Report (APR)
Instruction Sheet

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0624. It is estimated that respondents will spend approximately 500 hours when maintaining the SPP and 5,510 hours completing the APR. (The SPP is to be completed once, and was due December 2, 2005, and the APR is to be completed annually thereafter. The first APR was due February 1, 2007.) These times include such things as reviewing instructions, searching any existing data resources, gathering needed data, analyzing collected data, implementing improvement activities, and completing and reviewing the information collection. The obligation to respond to this collection is mandatory (Individuals with Disability Education Act of 2004, Part B, Assistance for Education of All Children with Disabilities). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1820-0624. Note: Please do not return the completed SPP or APR to this address.

I. General Instructions

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 four sections: 1) General Instructions; 2) State Performance Plan; 3) Annual Performance Report; and 4) Related Requirements. States are encouraged to make note of the following due dates and schedule accordingly:

By February 3, 2014, States must submit:

- 1) A description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2011 APR in 2013, is available, as well as where the State has reported to the public on the FFY 2011 performance of each local educational agency (LEA) in the State against the State's targets in its Part B – SPP.
- 2) The State's FFY 2012 Part B, which must contain actual APR target data from FFY 2012 and other responsive APR information for Indicators 1, 2, 3, 4A, 4B, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, and 19. States may, but are not required, to report data for Indicator 20. OSEP will use the Indicator 20 Rubric (Attachment 2) to calculate the State's data for this indicator. States will have an opportunity to review and respond to OSEP's calculation of the State's data. States do need to ensure that, following the receipt of their FFY 2012 SPP/APR Response Table, the APR that the State posts on its Web site includes the OSEP-calculated data for Indicator 20.
- 3) Information to address any required actions identified in OSEP's July 1, 2013 letter responding to the State's February 15, 2013 submission of its FFY 2011 SPP/APR.

When completing the SPP and APR, States will need to use the following parts of Information Collection 1820-0624.

SPP Materials –

- SPP Instructions (See Section II of the enclosed Instructions.)
- Part B Indicator Measurement Table with Instructions¹
- SPP Template

¹ Monitoring Priorities, indicators, and measurements included on the *Part B Indicator Measurement Table* are to be used to populate designated sections of the SPP and APR Templates. Populated templates can be found at <http://www.ed.gov/policy/speced/guid/idea/bapr/index.html>.

APR Materials –

- APR Instructions (See Section III of the enclosed Instructions.)
- Part B Indicator/Measurement Table with Instructions
- APR Template
- Indicator 15 Worksheet
- Indicator 20 Data Rubric

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 is required to provide information in the Overview to State Performance Plan Development section of the SPP template to specify how the State: 1) Obtained 'broad input' from stakeholders related to revisions to the SPP; and 2) Disseminated the SPP to the public. Similarly, in the APR, the State is to provide a description of the process the State used to develop the APR. The description must include how and when the State will report annually to the public on: 1) the State's progress and/or slippage in meeting the 'measurable and rigorous targets' found in the SPP; and 2) the performance of each LEA located in the State on the targets in the SPP.

The *Part B Indicator Measurement Table* lists the Monitoring Priorities and Indicators, required data sources and measurement and instructions for providing the required information for each indicator. In addition to the percentages required in the indicators, States are required to provide actual numbers used in the calculations.² In examining data, States are encouraged to use the strategies and questions provided in the *Using Data to Guide Improvement Efforts: Data Analysis* workshop. These questions can be accessed at <http://www.ed.gov/policy/speced/guid/idea/bapr/index.html>.

States may add indicators if there are additional areas that the State wishes to track and measure. If additional indicators are added the State is to include a data source, measurement, and calculation for each indicator added. In addition, the State must include targets and data to address its performance against the targets the State establishes for those additional indicators.

States are allowed to use sampling when so indicated on the *Part B Indicator Measurement Table*. When sampling is used, a description of the sampling methodology outlining how the design will yield valid and reliable estimates *must* be submitted to OSEP. The description must describe the: (a) sampling procedures followed (e.g., random/stratified, forms validation); and (b) similarity or differences of the sample to the population of students with disabilities (e.g., how all aspects of the population such as disability category, race, age, gender, etc. will be represented). The description must also include how the State Education Agency addresses any problems with: (1) response rates; (2) missing data; and (3) selection bias.

Samples from LEAs must be representative of each of the LEAs sampled considering such variables as disability categories, age, race, and gender. If a State chooses to sample LEAs, all LEAs with average daily memberships (ADM) of over 50,000 *must* be included in the sample. States have the option of sampling within some LEAs and using a census (i.e., obtaining data from the total targeted population) in other LEAs. Relative to small districts, the State shall not report to the public or the Secretary any information on performance that would result in the disclosure of personally identifiable information about individual children or where the available data is insufficient to yield statistically reliable information, i.e., numbers are too small.

For indicators that permit sampling, the State must include in its report on the performance of LEAs the most recently available performance data on each LEA and the date the data were obtained. If a State is using sampling for one or more indicators, the State must sample on the performance of each LEA on each of those indicators at least once during the course of the SPP. Further, if a State is using sampling, the State must collect data from a representative sample of LEAs each year in order to report on State performance annually.

The State must submit an electronic text file of the APR and, if revised, its SPP, to OSERS.bapr@ed.gov.

² State Education Agencies are not required to provide the actual numbers for Indicators 5, 6, 18 and 19, because they are using 618 State-reported data for these Indicators.

The State may, in addition, choose to also submit a hard copy of the documents to the following address:

U.S. Department of Education
Office of Special Education Programs
Potomac Center Plaza
Mail Stop 2600, Room 4166
550 12th St. S.W.
Washington, D.C. 20202

The submission requirements, tables, and templates that should be used to complete the Part B SPP and/or APR can be accessed electronically at <http://www2.ed.gov/fund/data/report/idea/sppapr.html>.

If you have any further questions about the SPP and/or APR and/or the submission options listed above, please contact your Part B State Contact.

II. State Performance Plan (SPP)

The State Performance Plan (SPP) was originally submitted on December 2, 2005. States must review their SPP at least once every six years. The Secretary reviews each SPP. An SPP is deemed approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the plan, that the plan does not meet the requirements of 20 U.S.C. 1416, including the specific provisions described at 20 U.S.C. 1416(b).

States are to provide information, as instructed, in the following section of the SPP Template:

Overview of State Performance Plan Development:

- Provide a description of the process the State used to develop the SPP. The description must include how the State:
 - Obtained 'broad input' from stakeholders; and
 - Will disseminate the SPP to the public.

Information found in the following sections of the SPP Template is provided by the Secretary:

Monitoring Priority:

- A prioritized area in which State and local education agencies' performance is measured. Monitoring priorities are determined by the Secretary.

Indicator:

- A statement used to help quantify and/or qualify a monitoring priority. Indicators are determined by the Secretary.

Measurement:

- Specific measures, determined by the Secretary and in designated cases by the State, used to quantify or qualify given indicators. Measurements are determined by the Secretary or in designated cases by the State.

States are to provide information, as instructed, in the following sections of the SPP Template:

Overview of Issue/Description of System or Process:

- Provide an overview or description of the issue (e.g., LRE) or system (e.g., monitoring).

Baseline Data:

- Provide baseline data using the measurements provided by the Secretary or as determined by the State.

Discussion of Baseline Data:

- Provide clarification needed in regard to the baseline data.

FFY:

- Indicate the federal fiscal year period for which data are being reported.

Measurable and Rigorous Target:

- Designate, for each indicator, the desired level of performance to be reached for each specified federal fiscal year (FFY).
- Targets for Indicators 11, 12, 13, 15, and 20 cannot be less than 100%.
- Targets for Indicators 4B, 9, and 10 are 0%.

Improvement Activities/Timelines/Resources:

- Describe how the State will improve performance for each indicator, including activities, timelines, and resources.

III. Annual Performance Report

The State Annual Performance Report is to be submitted annually in accordance with 20 U.S.C. 1416(b)(2)(C)(ii)(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 shall report annually to the Secretary and the public on the performance of the State under the State's performance plan.

States are to provide information, as instructed, in the following section of the APR Template:

Overview of the Annual Performance Report Development:

- Provide a description of the process the State used to develop the APR. The description must include how and when the State will report annually to the public on the:
 - Progress and/or slippage in meeting the 'measurable and rigorous targets' found in the SPP;³ and
 - Performance of each local educational agency located in the State on the targets in the SPP.
 -

Information found in the following sections of the APR Template is provided by the Secretary:

Monitoring Priority:

- A prioritized area in which States and local education agencies' performance is measured. Monitoring priorities are determined by the Secretary.

Indicator:

- A statement used to help quantify and/or qualify a monitoring priority. Indicators are determined by the Secretary.

Measurement:

- Specific measures, determined by the Secretary and in designated cases by the State, used to quantify or qualify given indicators. Measurements are determined by the Secretary or in designated cases by the State.

³ As part of OSEP's effort to reduce the reporting burden for States, in the FFY 2012 APR, States: (1) are not required to provide an explanation of: a) progress; b) no change in actual target data from the data for FFY 2011; or c) slippage if the State meets its target; (2) are not required to discuss improvement activities for: a) compliance indicators where the State reports 100% compliance for FFY 2012; and (b) results indicators where the State has met its FFY 2012 target; and (3) may provide one set of improvement activities for the entire APR as long as the improvement activities are indexed back to reference the relevant indicators.

States are to provide information, as instructed, the following sections of the APR Template:

FFY:

- Indicate the federal fiscal year period for which data are being reported.

Measurable and Rigorous Target:

- Designate, for each indicator, the desired level of performance to be reached for the specified FFY.

Actual Target Data for *(Insert FFY)*:

- Provide the actual target data for the given indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for *(Insert FFY)*:

- Analyze data to form a basis for this discussion. Describe the improvement activities implemented during the FFY and progress on meeting the targets. Describe any slippage, e.g., lack of progress on the target, improvement activities not completed, etc., that has occurred and how the State plans to address the slippage through adjustments or improvements made in State programs, policies, or practices. Provide an explanation of performance data in this section, if needed.
- Provide detailed information about the timely correction of noncompliance as noted in OSEP's review of the previous APR. If the State did not correct the previous noncompliance, provide information regarding the nature of the continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.
- The State shall not report to the public or the Secretary any information on performance that would result in the disclosure of personally identifiable information about individual children or where the available data is insufficient to yield statistically reliable information, i.e., numbers are too small.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for *(Insert FFY)*:

- Provide information on revised targets, activities, timelines or resources. This information should include the State's revisions to the SPP and justification for the revisions. Revisions to targets, activities, timelines or resources do not relieve the State of its responsibility to provide "Actual Target Data" for the given year.

IV. **Related Requirements**

This document includes a list of the Monitoring Priorities and Indicators and the requirements from the statutes and regulations that are related to each Priority and Indicator. The purpose of this document is to inform States of the statutory and/or regulatory requirements related to each Indicator that will be reviewed by OSEP as part of Focused Monitoring. That is, if OSEP determines that it will do Focused Monitoring in a State because that State is low performing on, or in noncompliance with, a specific indicator, OSEP will review the Related Requirements for that Indicator as part of the Focused Monitoring. OSEP encourages States to examine their general supervision systems to determine how they address these Related Requirements.