



## **DEPARTMENT OF EDUCATION**

**[Docket No.: ED-2023-SCC-0083]**

### **Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and approval; Comment Request; IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR)**

**AGENCY:** Office of Special Education and Rehabilitative Services (OSERS), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

**DATES:** Interested persons are invited to submit comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain) to access the site. Find this information collection request (ICR) by selecting “Department of Education” under “Currently Under Review,” then check the “Only Show ICR for Public Comment” checkbox. Reginfo.gov provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the “View Information Collection (IC) List” link. Supporting statements and other supporting documentation may be found by clicking on the “View Supporting Statement and Other Documents” link.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Christine Pilgrim, (202) 245-7351.

**SUPPLEMENTARY INFORMATION:** The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR)

*OMB Control Number:* 1820-0624

*Type of Review:* Revision of a currently approved ICR.

*Respondents / Affected Public:* State, Local, and Tribal Governments

*Total Estimated Number of Annual Responses:* 60

*Total Estimated Number of Annual Burden Hours:* 107,700

*Abstract:* 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, as revised in 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 corresponds to 34 CFR §§300.600-300.602.

In this information collection revision two revisions are proposed: (1) adding a separate general supervision indicator and continuing the requirement to report on the identification and correction of findings of all noncompliance related to SPP/APR compliance indicators; and (2) revising Indicators 4A and 4B to require States to report on elements of their existing methodology that are necessary for OSEP to analyze and determine the reasonableness of such methodology for identifying significant discrepancies in local educational agencies (LEAs). The proposed revisions are focused on improving results and the development and learning for all children with disabilities, and aligning with the administration's priorities including, State general supervision systems and the disparities in the use of discipline for children with disabilities.

Dated: September 7, 2023.

**Kun Mullan,**

*PRA Coordinator,*

*Strategic Collections and Clearance,*

*Governance and Strategy Division,*

*Office of Chief Data Officer,*

*Office of Planning, Evaluation and Policy Development.*

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