



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

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OSEP 05-02

OSEP MEMORANDUM

TO: Lead Agency Directors
Part C Coordinators
State Interagency Coordinating Council Chairpersons

FROM: Stephanie Smith Lee *Patricia Lee for*
Director
Office of Special Education Programs

SUBJECT: Annual Performance Report for Part C of the Individuals with Disabilities
Education Act (Part C) for Federal Fiscal Year (FFY) 2003

ACTION

REQUIRED: Submission of Annual Performance Report by March 31, 2005

As a condition of the Part C grant award, the Lead Agency in each State is required to submit an Annual Performance Report (APR). The Education Department General Administrative Regulations (EDGAR) at 34 CFR §80.40 require that States submit APRs regarding their actual accomplishments during the reporting period, compared to established objectives. The APR for Part C of the Individuals with Disabilities Education Act (IDEA) is designed to provide uniform reporting from States and result in high-quality information across States related to performance and compliance. Please submit the Report no later than March 31, 2005, with the ICC Certification attached (if the ICC will be jointly submitting the APR). OSEP requires an original signature on the Interagency Coordinating Council Certification of Annual Report.

The statute (at 20 U.S.C. 1441(e)(1)(D)) and Part C regulations (see 34 CFR §303.654) require that the State Interagency Coordinating Council (ICC) "submit an annual report to the Governor and to the Secretary on the status of early intervention programs for infants and toddlers with disabilities and their families operated within the State." In an effort to reduce the reporting burden on States, the Office of Management and Budget previously approved the "Interagency Coordinating Council Certification of Annual Report," which would enable your State to satisfy, in a single report, both reporting requirements under EDGAR for the Lead Agency and under Part C for the ICC. If your State's ICC chooses this option, the attached form must be signed by the ICC Chairperson and submitted with your State's APR. The ICC may adopt, as its report, the information presented in the State's APR or indicate that it disagrees with the information.

Page 2 – Lead Agency Directors
Part C Coordinators
State Interagency Coordinating Council Chairpersons

The FFY 2003 APR must address, at a minimum, each cluster question and any probes. States should consider data from many sources in order to adequately address IDEA Part C requirements in each cluster area. In the Office of Special Education Program's (OSEP's) review of States' FFY 2002 APRs, several areas of concern were noted. To assist States in submitting their FFY 2003 APRs, OSEP is providing the following clarification and guidance.

The following directions are provided to assist States in reporting information regarding the funds expended, activities undertaken, and improvements made in the implementation of the State-wide system of early intervention. Although the FFY 2003 APR requests data and information from the FFY 2003 reporting period (July 1, 2003 through June 30, 2004), OSEP encourages the State to consider including updated data (current through the State's submission date) if it would help clarify the State's data from the data reporting period and address compliance issues. Please indicate the dates of the reporting period.

In the area of Child Find, some States have established general numerical goals (either as an aggregate number or a percentage increase) for their State's child find efforts. While it is not inconsistent with Part C of the IDEA to include a numerical goal to increase the percentages of infants and toddlers with disabilities determined eligible for services, the State must monitor to ensure that eligibility decisions for all infants and toddlers are made in conformity with the individual evaluation and assessment requirements of Part C of IDEA (at 34 CFR §§303.320 through 303.323) and not based upon a numerical goal.

In the area of Early Intervention Services, the State must report on provision of early intervention services in natural environments and information related to early childhood outcomes. Under natural environments, States are reporting both performance data (on the percentages of children receiving early intervention services primarily in the home, programs for typically developing children or other natural environments as well as compliance data on whether, under 34 CFR §303.344(d)(1), all Individualized Family Service Plans (IFSPs) reflect that, to the maximum extent appropriate to the needs of the child, early intervention services are provided in natural environments and a justification of the extent, if any, to which any early intervention service will not be provided in a natural environment. Some States have included performance goals to increase the provision of early intervention services in natural environments and OSEP encourages States to do so. However, if a State establishes a goal in its APR to increase the percentage or number of children that receive early intervention services in natural environments, it must also include the specific monitoring methods it will use to ensure that decisions regarding settings are made by IFSP meeting participants on an individualized basis.

In the area of Early Childhood Outcomes, OSEP recognizes that States are in the process of determining how to collect this data in order to meet State and Federal program needs. Many States are working with the OSEP-funded Early Childhood Outcome Center or utilizing other resources to identify how to collect this data. Although OSEP has requested that States provide data in response to the probe found in the FFY 2003 APR, States still in the planning stages may submit, in lieu of the requested data, a plan that shows how the State will collect and report data by the FFY 2004 APR reporting date (expected deadline: March 31, 2006). The FFY 2003 APR requests States to report on "the percentage of children who demonstrate improved and sustained functional abilities." Responses to this probe can include aggregate percentages within the State or, if statistical sampling or other subpopulation methods are used, percentages

Page 3 – Lead Agency Directors
Part C Coordinators
State Interagency Coordinating Council Chairpersons

for those children who meet the criteria used and are included in the sample or subpopulation (with data notes describing the number of children participating and other explanatory information). Some States have provided Part C exit data without the requisite explanations of how such data responds to this probe in indicating how children at this juncture “demonstrate improvement.” We recognize that many States are adopting short-term approaches such as IFSP goal attainment to address the probe. Since this may not be the best measure to use, OSEP is supporting work that will result in long term approaches that States can utilize to collect data to document that children demonstrate improved and sustained functional abilities.

In the area of Early Childhood Transition, although the goal is to ensure that children by the age of three receive appropriate services, the State must provide both performance and compliance data regarding early childhood transition requirements at 34 CFR §§303.148 and 303.344(h). In order for children to receive appropriate services by the age of three, States must ensure that IFSPs include steps that support transition; the local educational agency (LEA) is notified of children whom the Part C Lead Agency identifies as potentially eligible under Part B; and with the approval of the family of the child, transition conferences are convened with the LEAs for those children eligible for Part B, and other appropriate agencies for children who are not eligible for preschool services under Part B.

The FFY 2003 APR must address the items contained in the attachment related to activities and expenditures of any Part C funds used during the specified grant period (July 1, 2003 through June 30, 2004). OSEP uses this information for a variety of purposes, including ongoing monitoring and implementation of Part C, data addressing the Part C performance indicators that accompany the Department’s annual budget proposal, and responses to Congressional inquiries. This information, which helps explain your State’s implementation of Part C (i.e., various sources of funds, expenditures, gaps in services, interagency collaborative efforts), may also be valuable information in other corollary efforts, such as State legislative and budget process or systems’ improvement.

There are two options for submission of the APR:

1. Complete and Fed Ex a copy of APR 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 Word file of the Report should be submitted to OSERS.capr@ed.gov.

The submission requirements and tables that should be used to complete the Part C Annual Performance Report can be accessed electronically at <http://www.ed.gov/policy/speced/guid/idea/monitor/index.html>.

OR

Page 4 – Lead Agency Directors
Part C Coordinators
State Interagency Coordinating Council Chairpersons

2. Complete the APR online at the following Internet address
http://wdcrobcop01.ed.gov/CFAPPS/osep_sp_public/.¹

The online submission of the APR allows input of all required report information into a formatted interactive web environment that may include additional State tables, charts or graphs. *If the State chooses this option it must submit a signed copy of the ICC Certification to the address specified on the previous page.*

The online APR requires a specific username and password. If you have not received a user name and password for your State, or have specific questions about completing the online APR, please contact your Part C State contact. Regional Resource Centers (RRCs) have also been trained in completion of the online APR and may be an additional source of assistance to States.

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

Attachments

¹ This URL will become active on Friday, December 3, 2004.