

### Public 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 currently valid OMB control number. The valid OMB control number for this collection is 1820-0030. Public reporting burden for this collection of information is estimated to average 14 hours per responses, and an average of 25 additional hours for responses reporting data related to significant disproportionality in a given year, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit under 20 U.S.C. 1411 and 1419. If you have comments or concerns regarding the status of your individual submission of this form, please contact Jennifer Simpson at [Jennifer.Simpson@ed.gov](mailto:Jennifer.Simpson@ed.gov) or at the Office of Special Education and Rehabilitative Services, US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

## ANNUAL STATE APPLICATION UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004 INSTRUCTION SHEET

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Respondents are required to provide the data in Section V pursuant to IDEA section 618(a)(3), which provides the Secretary authority to collect annual data on any information that may be required by the Secretary, and 34 CFR §300.647(b)(7), which requires States to report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR §300.647(d)(2), and the rationales for each, to the Department.

### SECTION I

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#### A. Submission Statement for Part B of IDEA

When completing this section:

- Select and check the appropriate submission statement(s) the State is using for this Federal Fiscal Year (FFY). The third statement is optional and should only be checked if the State chooses to submit policies and procedures to OSEP for review under one or more of the conditions specified in the statement. States are not required to submit policies and procedures to OSEP for review and approval. Possible combinations of ‘checked’ statements are as follows: 1; 2; 1 and 3; or 2 and 3.

#### B. Conditional Approval for FFY 2022 Grant Year

Section I.B is to be completed only if the State received **conditional approval** for the FFY 2022 grant year.

When completing this section:

- Check the appropriate statement(s) found in subsection 1 and/or 2.

### SECTION II

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#### A. Assurances Related to Policies and Procedures

When completing this section:

- Read each assurance (1-25).<sup>1</sup>

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<sup>1</sup> An *Optional Technical Assistance Checklist – Eligibility Requirements found in Part B of the IDEA (20 U.S.C. 1411 through 1419) and 34 CFR Part 300* is found at <https://sites.ed.gov/idea/grantees/#Grants>. This checklist is provided to assist States in the completion of OMB Information Collection 1820-0030.

- Enter, in the cells found to the left of the assurance, either a check in the cell found in the ‘yes’ column or a date in the cell found in the ‘no’ column. The date in the ‘no’ column is the date on which the State will complete changes in order to provide the assurance. At least one cell must be completed beside each assurance.

B. Other Assurances

When completing this section:

- Read each assurance and place a check in the cells labeled ‘yes’.

C. Certifications

When completing this section:

- Read each certification statement and place a check in the cells labeled ‘yes’.

D. Statement

To complete the assurance and certification statement:

- Enter the name of the State and official name of the State Agency in the appropriate blanks.
- Print the name and title of the authorized representative of the State.
- Sign the signature block.
- Enter the date the assurance and certification statement was signed.

### SECTION III

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Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act – 20 U.S.C. 1411(e)(5)

States must provide the Description of Use of Funds by completing and submitting the **Excel Interactive Spreadsheet** with the FFY 2023 Application. Enter, in the appropriate cells, the dollar amount that the State is spending for the activity specified in the column to the left.

- The dollar amounts entered in the cells, for administration and for other State activities must be within the dollar amount limitations provided to the State in the spreadsheet.
- Describe, in Section III of the FFY 2023 Application, the process used to get input from LEAs regarding the distribution of amounts among activities to meet State priorities.
- **The Excel Interactive Spreadsheet must be submitted as part of the State’s Application.**

### SECTION IV

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State Administration – 20 U.S.C. 1407(a)

States must attach to this Application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local educational agencies in writing of such State-imposed rules, regulations or policies.

### SECTION V

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A. Maintenance of State Financial Support

States must provide in whole dollars the total amount of State financial support made available for special education and related services for children with disabilities by year for the State fiscal years included in Section V.A. This information must be entered in the chart titled “Total Amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities” under Section V.A. However, if a State met the MFS requirement on a per capita basis, it may also provide, in whole dollars, the amount of State financial support made available for special education and related services per child with a disability during State fiscal years (SFYs) 2021 and 2022. This information must be entered in the chart titled “Per capita amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities” under Section V.A, and is in addition to the MFS data on a total basis that the State is required, at a minimum, to provide in the first chart. “State

financial support,” as referenced in 34 CFR § 300.163, includes all State funds made available for special education and related services for children with disabilities, as those terms are defined in the IDEA, including State funds provided to local educational agencies, to the State educational agency, and to other State agencies for that purpose. For purposes of completing this section, an SFY is referenced according to the year in which it ends. That is, if a SFY begins on July 1, 2022 and ends on June 30, 2023, then that SFY is considered SFY 2023.

Section V.A must be certified by the State Budget Officer or their authorized representative.

#### B. Significant Disproportionality

All States submitted the Significant Disproportionality Reporting Form, as required, with their FFY 2020 IDEA Part B State Application.<sup>2</sup> After the initial submission of the Form, States are **only** required to submit the Form with any future annual IDEA Part B State Applications if the State modifies its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

If your State has revised its Significant Disproportionality procedures or has any questions regarding Section V.B. of the grant Application, please contact your OSEP State Lead before the Application due date.

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<sup>2</sup> The Significant Disproportionality Reporting Form is a fillable PDF form that States must use to provide the Department data and information on how the State is examining significant disproportionality within the State.