1820-0600: State and Local Educational Agency Record Keeping and Reporting Requirements under Part B of the Individual with Disabilities Education Act

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 valid OMB control number. Public reporting burden for this collection of information is estimated to average –

Consultation	LEA: 12 hours	Hearing Officers and	LEA: 3 hours
	SEA: 24 hours	Mediators List	SEA: 3 hours
Consultation Complaints	Private School: 2 hours	State Complaint Procedures	SEA: 30 hours
_	LEA: 4 hours	_	
	SEA: 20 hours		
Number of Parentally-	LEA: 10 hours	LEA Part B Application	LEA: 2 hours
placed Private School	SEA: 20 hours		
Students			
High Cost Fund	SEA: 40 hours	Procedural Safeguards	LEA: 3 hours
Legal Services List	LEA: 0.5 hours	Significant	SEA: 156 hours
		Disproportionality	
		calculations	
Setting standards for	Stakeholders: 64 hours		
significant	SEA: 33.33 hours		
disproportionality with			
Advice from stakeholders .			

per response, including 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 demonstrate compliance with the requirements of the Individuals with Disabilities Education Act. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden through www.regulations.gov.

Instrument

Required Collection	Statutory Authority	Regulatory Authority
LEA consultation with private school	20 U.S.C. 1412(a)(10)(A)	§§300.134(e) and 300.135
representatives and representatives of parents	(iii)(V) and (iv)	
of parentally-placed private school children		
with disabilities. The consultation process must		
address how, if the LEA disagrees with the		
views of the private school officials on the		
provision of services or the types of services		
(whether provided directly or through a		
contract), the LEA will provide the private		
school officials a written explanation of the		
reasons why the LEA chose not to provide those		
services directly or through a contract. The LEA		
must obtain a written affirmation signed by the		
representatives of participating private schools		
that timely and meaningful consultation has		
occurred. If the private school representatives		
do not provide the written affirmation within a		
reasonable period of time, the LEA must		
forward the documentation of the consultation		
process to the State educational agency (SEA).		
Private school official's complaint of	20 U.S.C. 1412(a)(10)(A)(v)	§300.136
noncompliance. A private school official has		

Required Collection	Statutory Authority	Regulatory Authority
the right to submit a complaint to the SEA that		
the LEA did not engage in consultation that was		
meaningful and timely or did not give due		
consideration to the views of the private school		
official.		
Number of children with disabilities enrolled in	20 U.S.C. 1412(a)(10)(A)(i)	§300.132
private schools by their parents, other than	(V)	3
children with disabilities enrolled by their		
parents in private schools when a free		
appropriate public education is at issue. Each		
LEA must maintain in its records and annually		
provide to the SEA the number of children		
enrolled in private schools by their parents that		
are evaluated by the LEA under IDEA, the		
number of children determined to be children		
with disabilities under IDEA, and the number of		
children served in accordance with 20 U.S.C.		
1412(a)(10)(A).		
State plan for high cost fund. Any State	20 U.S.C. 1411(e)(3)(C)(ii)	\$300.704(c)(2)(i)
	20 0.3.C. 1411(e)(3)(C)(II)	§300.704(c)(3)(i)
educational agency (SEA), not later than 90		
days after the State chooses to reserve funds		
under 20 U.S.C. 1411(e)(3)(C)(ii) shall annually		
review, and amend as necessary, a State plan for		
the high cost fund for the purpose of assisting		
LEAs (including a charter school that is an LEA		
or a consortium of LEAs) in addressing the		
needs of high need children with disabilities.	20 11 0 0 1415(1)(0)	5200 507
Free and low-cost legal services. Each public	20 U.S.C. 1415(b)(6)	§300.507
agency shall inform the parent of any free or		
low-cost legal and other relevant services		
available in the area if the parent requests the		
information or the parent or agency files a due		
process complaint under §300.507.	20 H C C 141F(-)(2)(C)	\$\$200 F0C(\(\)(2)(') 1
List of hearing officers and mediators. Each	20 U.S.C.1415(e)(2)(C)	§§300.506(b)(3)(i) and
State receiving funds under Part B of IDEA		300.511(c)(3)
must maintain a list of individuals who are		
qualified mediators and knowledgeable in laws		
and regulations relating to the provision of		
special education and related services. Each		
public agency must maintain a list of		
individuals who serve as hearing officers, along		
with the qualifications of each of these		
individuals. (This information was included in		
previous OMB Collection 1820-0509)	20.11.6.6.4224	66700 454 200 452
State complaint procedures. Each SEA must	20 U.S.C. 1221 e-3	§§300.151-300.153
adopt written procedures for resolving any		
complaint, including a complaint filed by an		
organization or individual from another State,		
that meets the requirements of §300.153. The		
complaint must be signed and written and allege		
that a public agency has violated a requirement		
of Part B of IDEA or the Part B regulations and		
the facts upon which the allegation is based.		
(This information was included in former OMB		

Required Collection	Statutory Authority	Regulatory Authority
Collection 0599)		
LEA plan under Part B.	20 U.S.C. 1413(a)	§§300.201-300.213, and
In order to be eligible for assistance under Part		§300.224
B of IDEA for a fiscal year, LEAs and eligible		
state agencies must submit a plan to the SEA		
that provides assurances that the LEA or		
eligible state agency meets specified		
requirements for assistance under Part B and the		
regulations.		
Procedural Safeguards Notice.	20 U.S.C. 1415(d)(1)(A)	§300.504(a)
A parent of a child with a disability must be		
provided a copy of the procedural safeguards		
notice only one time a school year, except a		
copy shall be provided upon initial referral or		
parent request for an evaluation; upon receipt of		
the first State complaint under 34 C.F.R.		
§§300.151 through 300.153 and upon receipt of		
the first due process complaint under 34 C.F.R.		
§300.507 in a school year; in accordance with		
the discipline procedures in 34 C.F.R.		
§300.530(h); and upon request by a parent.		
Significant Disproportionality.	20 U.S.C. 1418(d)	§§300.646 and 300.647
Under 20 U.S.C. 1418(d) and 34 C.F.R.		
§300.646, States are required to collect and		
examine data to determine if significant		
disproportionality based on race and ethnicity is		
occurring in the State and the LEAs of the State		
with respect to the identification of children as		
children with disabilities, including		
identification as children with particular		
impairments; the placement of children in		
particular educational settings; and the		
incidence, duration, and type of disciplinary		
actions, including suspensions and expulsions.		
Section 300.647 addresses how States must		
make a significant disproportionality		
determination. States must make		
determinations annually by determining the		
number of prior years' data to be analyzed,		
calculating and comparing the risk ratios, or		
alternate risk ratios as appropriate, to the		
thresholds for each LEA in the State in each of		
the categories described in §300.647 (b)(3) and		
(4) and for each racial and ethnic group		
described in §300.647(b)(2) in accordance with §§300.646 and 300.647 to determine if		
significant disproportionality occurred. States		
must retain these risk ratios, or alternate risk		
ratios, and whether the risk ratios triggered a		
finding of significant disproportionality		
requiring the provision of comprehensive		
coordinated early intervening services, for		
review if requested.		
Setting standards for significant	20 U.S.C. 1412(a)(21)(D)	§300.647(b)(1)(i) and (iii)
seamy standards for significant	20 0.0.0. 1412(a)(21)(D)	3500.0 4 /(0)(1)(1) and (111)

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disproportionality with advice from	(iii) and 1418(d)	(A).
stakeholders.		
State selected standards for reasonable risk ratio		
thresholds, minimum cell-sizes, minimum n-		
sizes, and, if the State uses the "reasonable		
progress" flexibility, standards for measuring		
reasonable progress and the number of year's		
data that determinations are based upon. These		
standards "must be based on advice from		
stakeholders, including State Advisory Panels,		
as provided under section 612(a)(21)(D)(iii) of		
[IDEA]."		