

Part C State Performance Plan and Annual Performance Report (Part C SPP/APR)

General Instructions

Each State is required to submit its FFY 2023 SPP/APR Part C Indicators 1-12 by February 1, 2025.

The State's FFY 2023 Part C SPP/APR submission must include:

- 1) An introduction, with sufficient detail to ensure that the Secretary and the public are informed of, and understand, the State's systems designed to drive improved results for infants and toddlers with disabilities and their families and to ensure that the Lead Agency and early intervention service (EIS) providers and EIS programs¹ meet the requirements of Part C of the IDEA. This introduction must include descriptions of the State's:
 - a. General Supervision System: Include a description of all the mechanisms the State uses to identify and verify correction of noncompliance and improve results. This should include, but not be limited to, State monitoring, State database/data system, dispute resolution, fiscal management systems as well as other mechanisms through which the State is able to determine compliance and/or issue written findings of noncompliance. The State should include the following elements:
 - i. A description of the process the State uses to select EIS providers and/or EIS programs for monitoring, the schedule, and number of EIS providers/programs monitored per year.
 - ii. A description of how child records are chosen, including the number of child records that are selected, as part of the State's process for determining an EIS provider's and EIS program's compliance with IDEA requirements and verifying the EIS provider/program's correction of any identified noncompliance.
 - iii. A description of the data system(s) the State uses to collect monitoring and SPP/APR data, and the period from which records are reviewed.
 - iv. A description of how the State issues findings: by EIS provider and/or EIS program; and if findings are issued by the number of instances or by EIS provider and/or EIS program.
 - v. If applicable, a description of the adopted procedures that permit its EIS providers/ programs to correct noncompliance prior to the State's issuance of a finding (i.e., pre-finding correction).
 - vi. A description of the State's system of graduated and progressive sanctions to ensure the correction of identified noncompliance and to address areas in need of improvement, used as necessary and consistent with IDEA Part C's enforcement provisions, the OMB Uniform Administrative Requirements,

¹ Throughout this indicator, OSEP uses both the term early intervention services (EIS) provider and EIS program because State Lead Agencies issue findings by EIS provider and/or EIS program. Early intervention service provider is defined in 34 C.F.R. § 303.12 to include an entity (whether public, private, or nonprofit) or an individual that provides early intervention services under part C of the Act, and may include where appropriate, the lead agency and public agency responsible for providing early intervention services to infants and toddlers with disabilities in the State under Part C of the Act. EIS program is defined in 34 C.F.R. § 303.11, meaning an entity designated by the lead agency for reporting under [§§ 303.700 through 303.702](#).

Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), and State policies.

- vii. A description of how the State makes annual determinations of EIS program performance, including the criteria the State uses and the schedule for notifying EIS programs of their determinations. If the determinations are made public, include a web link for the most recent determinations.
 - viii. A web link to information about the State's general supervision policies, procedures, and process that is made available to the public.
- a. Technical Assistance System: The mechanisms that the State has in place to ensure the timely delivery of high quality, evidence-based technical assistance and support to EIS providers/programs;
 - b. Professional Development System: The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for infants and toddlers with disabilities and their families;
 - c. Stakeholder Involvement: The mechanisms for soliciting broad stakeholder input on the State's targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 11, the State Systemic Improvement Plan (SSIP). This must include:
 - i. The number of parent members who provided stakeholder input and a description of how the parent members of the Interagency Coordinating Council, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress;
 - ii. Description of the activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for infants and toddlers with disabilities and their families;
 - iii. The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress;
 - iv. The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public; and
 - d. Reporting to the Public: How and where the State reported to the public on the FFY 2022 performance of each EIS program located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2022 APR, as required by 34 C.F.R. § 303.702(b)(1)(i)(A); and a description of where, on its website, a complete copy of the State's SPP/APR, including any revisions, if the State has revised the targets that it submitted with its FFY 2022 APR in 2024, is available.²

² In accordance with section 616(b)(2)(C)(ii)(I) and 642 of the IDEA and 34 C.F.R. § 303.702, each State must also report annually to the public on the performance of each EIS program located in the State on the targets in its Part C SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its Part C SPP/APR to the Secretary.
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- 2) Baseline data for Indicators 1 through 12. For Indicator 12, the State's FFY 2023 data serves as the State's baseline data for that indicator unless the State provides an explanation for using other baseline data. If the State is proposing to revise its baseline data for an indicator, it must provide an explanation for that revision.
- 3) Targets for Indicators 1 through 12, for each year and that cover the years of the SPP (*i.e.*, FFY 2020 through FFY 2025). The State's FFY 2025 target must reflect improvement over the baseline data. If the State is proposing to revise in its FFY 2023 SPP/APR any of the targets it submitted in 2024 with its FFY 2022 SPP/APR, the State must describe its stakeholder input process.
- 4) Data from FFY 2023 and other responsive APR information for Indicators 1 through 12.
- 5) If the State's FFY 2023 data reflect less than 100% compliance in a specific indicator, but the State did not identify any findings of noncompliance in FFY 2023, the State must provide an explanation of why it did not issue any written findings of noncompliance. If the State did not issue any findings because it has adopted procedures that permit its EIS programs/providers to correct noncompliance prior to the State's issuance of a finding (*i.e.*, pre-finding correction), the explanation within each applicable indicator, must include how the State verified, prior to issuing a finding, that the EIS program/provider: is correctly implementing the specific regulatory requirements (*i.e.*, achieved 100 percent compliance with the relevant IDEA requirements) based on a review of updated data such as data subsequently collected through monitoring or the State's data system (systemic compliance); and (2) if applicable, has corrected each individual case of child-specific noncompliance, unless the child is no longer within the jurisdiction of the EIS program/provider, and no outstanding corrective action exists under a State complaint or due process hearing decision for the child.³
- 6) The reasons for slippage in indicators where the State did not meet its FFY 2023 target, and any slippage greater than the established threshold.
- 7) Information to address any actions required by OSEP's response to the State's FFY 2022 SPP/APR, including actions related to the correction of findings of noncompliance identified by the State.

SSIP: Indicator 11

In addition to the Phase I content of the SSIP that States were required to submit in 2015, the Phase II content that States were required to submit in 2016, and the Phase III content that States were required to submit in 2017 through 2024 the State must include the specific content required to complete Phase III of the SSIP required by Indicator 11, as well as any updates to previous Phase I, II, and III submissions. The specific content required to complete Phase III of the SSIP includes:

- a. Data Analysis;
- b. Implementation, Analysis and Evaluation;
- c. Stakeholder Engagement; and
- d. Additional Implementation Activities.

The Part C Indicator Measurement Table lists the monitoring priorities and Indicators, required

³ This requirement will apply beginning with the FFY 2024 SPP/APR (submitted in February 2026).

data sources, 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.⁴

Child Find: Indicators 5 and 6

For Indicators 5 and 6, to improve the analysis of whether States are identifying children who need services as early as possible, States should conduct root cause analyses of child find identification rates, including reviewing data (if available) on the number of children referred, evaluated, and identified. This root cause analysis may include examining not only demographic data (such as race and ethnicity data reported under IDEA section 618 and Indicators 5 and 6), but also other child-find related data available to the State (such as geographic location, family income, primary language, etc.). The State should report the results of its analysis under the “Additional Information” section of the Indicators 5 and 6. Furthermore, if a State is required to report on the reasons for slippage, then the State must include the results of its analysis under the “Additional Information” section of the Indicators 5 and 6.

Sampling: Indicators 3 and 4

States are allowed to use sampling when explicitly indicated on the Part C Indicator Measurement Table (i.e., Indicator 3 and Indicator 4). 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 children with disabilities in the early intervention program (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 Lead Agency addresses any problems with: (a) response rates; (b) missing data; and (c) selection bias.

Samples from EIS programs must be representative of each of the EIS programs sampled, considering such variables as eligibility definition (diagnosed condition or developmental delay), age, race, and gender. In reporting on the performance of small EIS programs, the Lead Agency 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 are insufficient to yield statistically reliable information, *i.e.*, numbers are too small.

For indicators that permit sampling, the Lead Agency must include in its report on the performance of EIS programs the most recently-available performance data on each EIS provider and EIS program and the date the data were obtained. If a Lead Agency is using sampling for one or more indicators, the Lead Agency must sample on the performance of each EIS program on each of those indicators at least once during the period of FFYs 2020 - 2025. Further, if a Lead Agency is using sampling, the Lead Agency must collect data from a representative sample of EIS programs each year in order to report on State performance annually.

If a State will use its currently-approved sampling plan and only change the years for which it is used, the State can provide an assurance to this effect. If a State proposes to use a sampling plan that was not previously used/approved or will revise its current sampling plan, the State must submit the sampling plan for approval.

⁴ States are not required to provide the actual numbers for Indicators 2, 5, 6, 9, and 10 because they are using Section 618 State-reported data for these indicators.

For FFY 2023 Submission

Submission

The State must submit its Part C SPP/APR electronically through the Department's online SPP/APR submission tool. If you have any questions about the Part C SPP/APR and/or the submission procedures listed above, please contact your Part C State Lead.

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. The valid OMB control number for this information collection is 1820-0578. Public reporting burden for this collection of information is estimated to average 1,100 hours 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 obtain or retain benefit under the Individuals with Disabilities Education Act (20 U.S.C. section 1400 et. seq.). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact Christine Pilgrim/Christine.Pilgrim@ed.gov directly.