

General

Technical Edits: The U.S. Department of Education's (Department), Office of Special Education Programs (OSEP) has made technical edits to the Part B Indicator Measurement Table and the Part B State Performance Plan/Annual Performance Report (SPP/APR) Related Requirements document to align to guidance OSEP released on July 24, 2023, entitled, "Office of Special Education Programs State General Supervision Responsibilities Under Parts B and C of the IDEA" (OSEP QA 23-01).

Comment: OSEP received one comment pertaining to the data source for Indicator 1 and one comment regarding mental health services in schools.

Discussion: These two comments are unrelated to the proposed changes identified in this Information Collection; therefore, OSEP declines to address them at this time.

Changes: None.

Indicators 4A and 4B

Comment: Several commenters representing advocacy organizations, national membership organizations, parents, and State educational agencies (SEAs) expressed support for OSEP's proposed revisions to Indicators 4A and 4B. Many of the commenters noted the importance of providing a definition of the State-selected

minimum n and/or cell size used, and the State-level long-term suspension/expulsion rate, if a State has chosen to compare the rates of long-term suspensions and expulsions for children with individualized education programs (IEPs) among local educational agencies (LEAs) within the State.

Discussion: OSEP appreciates the commenters' support regarding proposed changes to Indicators 4A and 4B. These proposed changes would enable OSEP to conduct a consistent, thorough, and accurate review of SPP/APR Indicators 4A and 4B submissions across all States. Requiring States to provide this information would also enable OSEP and stakeholders to more fully understand the impact of a State's methodology on the State's ability to identify significant discrepancies within its LEAs.

Changes: None.

Comment: Several commenters requested that OSEP require States compare the rates of suspensions and expulsions for children with IEPs among LEAs within the State, and also require the State to compare the rates of suspensions and expulsions for children with IEPs to the rates of suspensions and expulsions for nondisabled children within the LEAs. A few commenters noted that comparative data is important to consider when identifying whether an LEA has a significant discrepancy in the use of exclusionary discipline. Further, these commenters noted that

exclusionary discipline may disproportionately impact students with disabilities.

Discussion: OSEP appreciates the concern raised by many of the commenters that exclusionary discipline affects students with disabilities at greater rates than their nondisabled peers. In July 2022, OSEP released 'Questions and Answers Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions and Positive, Proactive Approaches to Supporting the Needs of Children with Disabilities: A Guide for Stakeholders' (July 2022 discipline guidance). This guidance provided information related to IDEA's discipline procedures, requirements related to addressing the behavioral needs of children with disabilities, and evidence-based practices to reduce the use of exclusionary discipline.

Section 1412(a)(22) of the IDEA and 34 C.F.R. § 300.170(a) require the SEA to examine data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities –(i) among LEAs in the State; or (ii) compared to such rates for nondisabled children within such LEAs. While OSEP appreciates the commenters' interest in requiring SEAs to report on both comparison options, doing so would be inconsistent with the IDEA and its implementing regulations.

Changes: None.

Comment: One commenter representing an SEA, noted that the revisions OSEP has proposed for Indicators 4A and 4B would result in an additional time burden for SEAs. Specifically, the commenter believes that additional time would be required to calculate various methods for determining 'significant,' including time used to engage with stakeholders to determine which definition of 'significant' is appropriate and reasonable for the State.

Discussion: States are already required to report on stakeholder involvement throughout the SPP/APR in the areas of setting targets, analyzing data, developing improvement strategies, and evaluating progress, in accordance with the 2023 Part B State Performance Plan/Annual Performance Report General Instructions (2023 Part B SPP/APR Instructions). States are also required to provide a 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 children with disabilities.

The proposed revision for Indicators 4A and 4B would require the State to provide its rationale for its minimum n and/or cell size, including why the definitions chosen are reasonable and based on stakeholder input, and how the definitions ensure the State is appropriately analyzing and identifying LEAs with

significant discrepancy. As described above, States are already required to carry out stakeholder engagement activities, and therefore the proposed revision for Indicators 4A and 4B should not pose any additional time burden on States.

Changes: None.

Comment: One commenter representing an advocacy organization recommended that OSEP examine State practices regarding informal expulsion practices and ensure that students who are removed pursuant to those practices are counted in State expulsion data collection and reported under Indicators 4A and 4B. The commenter described situations in which an LEA has developed a process to have or require parents remove their child from an LEA due to an alleged disciplinary event in consideration of the LEA not pursuing a formal expulsion. The commenter further explained that many, if not all, States and territories do not require reporting on the frequency of this practice.

Discussion: OSEP appreciates the commenter addressing the topic of 'informal expulsions' and 'informal removals' and notes that OSEP addressed informal removals in the July 2022 discipline guidance. In that guidance, OSEP described circumstances in which an informal removal could constitute a disciplinary removal and, under those circumstances, be reported as an in-school suspension, out-of-school suspension, or expulsion. OSEP

appreciates the commenter's concerns related to the implementation of OSEP's guidance and will take the commenter's feedback into consideration for future work in this area.

Changes: None.

Comment: Two commenters representing SEAs requested that OSEP provide SEAs with additional clarification, guidance, and technical assistance related to the reasonable design of a State's methodology for determining if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs.

Discussion: OSEP appreciates the commenters' request for additional clarification, guidance, and technical assistance regarding the development of a reasonable methodology for determining if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs. OSEP will work with OSEP-funded technical assistance centers to explore providing further related technical assistance.

Changes: None.

Comment: One commenter representing an advocacy organization recommended that OSEP carefully review each State's proposed n

size and reject those that are set too high. The commenter further explained that a State can set an n size of as low as five students and still fully meet the requirements for statistical reliability and student privacy.

Discussion: Under the proposed revisions for Indicators 4A and 4B, a State must provide a rationale for its minimum n and/or cell size, including why the definitions chosen are reasonable and based on stakeholder input, and how the definitions ensure that the State is appropriately analyzing and identifying LEAs with significant discrepancy. The proposed revisions also would require the State to indicate whether the minimum n and/or cell size represents a change from the prior SPP/APR reporting period; if so, the State must provide an explanation why the minimum n and/or cell size was changed. OSEP will analyze this information submitted by SEAs in the SPP/APR and determine the reasonableness of the State's methodology accordingly.

Changes: None.

Indicator B18

Comment: Several commenters representing advocacy organizations and membership organizations, and several individual commenters expressed overall support for the inclusion of the proposed indicator focused on general supervision as part of the SPP/APR. Some of these commenters encouraged OSEP to ensure that State

monitoring is rigorous, meaningful, and effective to allow States to plan and implement strategies to close achievement gaps between children with and without disabilities, and to improve outcomes for children with disabilities. Additionally, several commenters representing SEAs, national membership organizations representing SEAs, and local special education directors expressed opposition to the inclusion of the proposed indicator focused on general supervision.

Discussion: OSEP appreciates the feedback received from all stakeholders who either supported or opposed the inclusion of the proposed general supervision indicator. While OSEP understands the concerns that have been expressed by some commenters, we believe that the inclusion of the proposed general supervision indicator will result in greater transparency with LEAs, parents, and other stakeholders regarding the State's general supervision responsibilities and compliance with IDEA, which ultimately will help improve outcomes for children with disabilities.

To support improved outcomes for children and youth with disabilities, SEAs and LEAs must fully implement IDEA and identify instances in which noncompliance has occurred, as required under 34 C.F.R. § 300.600(e). Through identification of noncompliance, targeted support and resources can be provided to help ensure the full implementation of IDEA; systemic trends of noncompliance can be identified; and correction of any

noncompliance can occur. The information contained in the proposed general supervision indicator provides the transparency needed for analysis, correction, and support to occur. As OSEP noted in the explanation and rationale that accompanied the proposed revisions to the SPP/APR, several factors contributed to OSEP's decision to propose a new indicator focused on general supervision. These factors include: (1) throughout the COVID-19 pandemic, OSEP heard from stakeholders about barriers to accessing special education services, including that some children went without necessary services, and that the rates of both referrals to IDEA and evaluations under IDEA decreased; and (2) Through its monitoring activities, OSEP has learned that virtually all monitored States have not been monitoring LEA activities outside of the SPP/APR compliance indicators.

Monitoring for IDEA requirements beyond the SPP/APR compliance indicators has been a longstanding IDEA requirement as it is part of the State's general supervision responsibilities under IDEA section 612(a)(11) and 34 C.F.R. §§ 300.149 and 300.600(d). Therefore, the proposed general supervision indicator simply requires States to separately report on this longstanding IDEA requirement. Under 34 C.F.R. §§ 300.149 and 300.600, SEAs are required to monitor LEA activities related to all IDEA requirements and identify instances of noncompliance. While a State's general supervision responsibility to monitor its local

programs is a longstanding IDEA requirement, OSEP recognizes that, since the FFY 2013 SPP/APR, States have not had to report this information through a separate indicator within the SPP/APR.

To provide States with sufficient time to plan and implement the reporting requirements outlined in the proposed general supervision indicator, OSEP is phasing in the general supervision indicator to require reporting on the identification and correction of all findings of noncompliance as part of the State's general supervision responsibilities, which includes findings made through fiscal monitoring, Part B SPP/APR Related Requirements, and other areas of monitoring by the State. Starting with the FFY 2023 SPP/APR (submitted in February 2025), States will be required to report on the identification and correction of all noncompliance related to the SPP/APR compliance indicators. OSEP believes that by requiring States to report on all findings of noncompliance, there will be greater transparency regarding identified noncompliance, which can lead to improved outcomes in each of the areas addressed in Indicators 4B, 9, 10, 11, 12, and 13. Ultimately, this general supervision indicator will be broadened in the next SPP/APR cycle for FFY 2026 through FFY 2031 to also require reporting on the identification and correction of all noncompliance related to the State's general supervision responsibilities. This would include fiscal

monitoring, related requirements for results indicators, and other areas of monitoring by the State.

Monitoring, identifying, and correcting findings of noncompliance provide the information necessary to know whether children and youth with disabilities and their families are receiving needed IDEA Part B services. Therefore, OSEP believes that a comprehensive, rigorous general supervision system, that is publicly reported as part of the SPP/APR, is a critical element to improving outcomes for children and youth with disabilities.

Changes: None.

Comment: Several commenters representing SEAs believe that the proposed general supervision indicator prioritizes compliance with IDEA over a focus on improved outcomes for children with disabilities.

Discussion: OSEP appreciates the commenters' concern but does not agree that including the proposed general supervision indicator will detract from improving outcomes for children with disabilities. As noted previously, OSEP believes that timely identification and correction of noncompliance, which addresses noncompliance at both the systemic and the individual child levels, can contribute to improving outcomes for children with disabilities. With comprehensive monitoring for compliance with

all IDEA requirements, States can determine where changes should be made at the State and/or local levels to fully implement IDEA. OSEP remains committed to results driven accountability, improving outcomes for children with disabilities and their families, and ensuring access to fair, equitable, and high-quality education and services. Therefore, OSEP believes States must have effective integrated systems of general supervision that include a strong focus on both compliance and results.

Changes: None.

Comment: Several commenters representing SEAs recommended that OSEP release new guidance to support States' implementation of IDEA general supervision requirements prior to requiring States implement an indicator focused on general supervision. Specifically, the commenters requested that OSEP use such guidance to clarify expectations for a reasonably designed system of general supervision.

Discussion: OSEP agrees with the commenters that there has been a need for updated and consolidated guidance regarding the general supervision responsibilities of States under IDEA. On July 24, 2023, OSEP released guidance entitled, 'Office of Special Education Programs State General Supervision Responsibilities Under Parts B and C of the IDEA' (OSEP QA 23-01). This guidance incorporates longstanding policy and supersedes the following

three previously issued guidance documents: Frequently Asked Questions Regarding Identification and Correction of Noncompliance and Reporting on Correction in the SPP/APR (Sep. 3, 2008); OSEP Memorandum 09-02: Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act (Oct. 17, 2008)(OSEP Memo 09-02); and Questions and Answers on Monitoring, Technical Assistance, and Enforcement (Revised Jun. 2009). This guidance is intended to provide States with accessible and actionable information necessary to exercise their general supervision responsibilities to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; and that the rights of children with disabilities and their parents are families are protected. Likewise, this guidance provides States with information to support the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infant and toddlers with disabilities and their families. With respect to commenters' request regarding the timing of OSEP's general supervision guidance, this guidance was effective before SEAs will be required to implement the proposed general supervision

indicator with their February 2025 submission of the FFY 2023 SPP/APR. Additionally, OSEP, together with OSEP-funded technical assistance centers, will continue to provide technical assistance through a variety of engagement opportunities, such as national technical assistance calls, roundtable discussions, blog posts, and presentations at national conferences.

Changes: None.

Comment: Several commenters representing SEAs believe that SEAs already implement a comprehensive general supervision system that includes monitoring for requirements beyond the SPP/APR indicators and suggested that OSEP focus its efforts on providing additional technical assistance and guidance to States that may not have robust monitoring systems. Further, one commenter expressed concern that OSEP's rationale for introducing the proposed general supervision indicator is based on insufficient data.

Discussion: OSEP appreciates the feedback some commenters representing SEAs provided regarding their State's existing comprehensive system of programmatic monitoring, and timely correction of individual and systemic findings of noncompliance. Under IDEA sections 612(a)(11) and 34 C.F.R. § 300.149, States are required to have a general supervision system, which includes multiple components such as monitoring to: (1) improve

educational results and functional outcomes for children with disabilities; and (2) ensure that LEAs meet the requirements under IDEA. 20 U.S.C. §§ 1412(a)(11) and 1416(a); 34 C.F.R. §§ 300.149, 300.600 through 300.604, and 300.608. Without monitoring, SEAs do not know whether and how eligible children and youth with disabilities and their families are receiving IDEA Part B services they are entitled to receive. Based on findings from several DMS 2.0 monitoring visits, many States are not comprehensively monitoring LEAs for related requirements that are designed to help SEAs and LEAs examine compliance with IDEA and analyze outcomes for children with disabilities. With the focus on improving outcomes for all children with disabilities, it is essential that all SEAs are fully aware of and acting on their general supervision responsibilities under IDEA sections 612(a)(11) and 616(a)(3)(B) and 34 C.F.R. §§ 300.149 and 300.600(d)(2).

Changes: None.

Comment: Several commenters representing SEAs expressed their belief that the proposed general supervision indicator is duplicative with OSEP's DMS 2.0 process.

Discussion: OSEP does not agree with the commenters that including a general supervision indicator within the SPP/APR would be duplicative with OSEP's DMS 2.0 process. OSEP believes that the information States provide in the SPP/APR, including

through the proposed general supervision indicator, is a complementary, not duplicative, effort to the information collected and analyzed during OSEP's DMS 2.0 process. While both the SPP/APR and DMS 2.0 processes evaluate a State's efforts to implement the requirements and purposes of Part B of IDEA and describe how the State will improve such implementation, consistent with 34 C.F.R. §§ 300.600 through 300.601(a), the SPP/APR provides required information annually, while the DMS 2.0 process examines the policies, procedures, and practices of a subset of States on a cyclical, non-annual schedule. Therefore, while a State's general supervision data and system are analyzed by OSEP during the DMS 2.0 process, the inclusion of the general supervision indicator within the SPP/APR allows for transparency and the annual public reporting on findings of noncompliance for every State.

Changes: None.

Comment: Commenters discussion of monitoring systems raised questions about their understanding of pre-finding correction (i.e., if a State allows for correction of identified noncompliance prior to the State issuing a written finding).

Discussion: In July 2023, OSEP issued State General Supervision Responsibilities Under Parts B and C of the IDEA (OSEP QA 23-01) guidance to better inform SEAs, LAs, LEAs, and EIS programs and

providers of their general supervision responsibility over their local programs.

In response to the commenters concerns regarding how the general supervision indicator accounts for States reporting on identified noncompliance that was corrected before the State issued a written finding, known as pre-finding correction, OSEP agrees that the information contained in the proposed general supervision indicator was unclear. Specifically, OSEP recognized that the reference to 'pre-finding correction finding' listed as an example of a reason why a State may report differences in the number of written findings in the data table for the proposed general supervision indicator and the number of findings reported within the indicator itself (i.e., Indicator 4B, 9, 10, 11, 12, 13), may have caused confusion. States report instances of pre-finding correction within the context of the indicator itself as part of the State's requirement to provide an explanation if the State's prior year's compliance data were less than 100%. OSEP has revised the proposed general supervision indicator to remove the reference to pre-finding correction. For more information regarding the reporting of pre-finding correction, please see OSEP's guidance, OSEP QA 23-01.

Changes: OSEP has revised the data table included in the proposed general supervision indicator by removing the reference to 'pre-finding correction finding.'

Comment: A few commenters representing SEAs expressed concern that a State's performance on the proposed general supervision indicator may be impacted by the different approaches States use to implement their monitoring systems, a flexibility permissible under IDEA. Additionally, some of these commenters expressed concern that the proposed general supervision indicator will compare State general supervision systems to each other in a way that does not account for the unique differences between each State system. One commenter noted that requirements for reporting on the correction of noncompliance is the same for States that have a smaller population and fewer LEAs, as it is for States that have larger populations and many LEAs. The commenter noted that this variability creates for an unequal comparison among States. The commenters cautioned that a comparison of State monitoring systems using the information from the general supervision indicator would be inappropriate.

Discussion: OSEP appreciates the commenters' concerns. OSEP agrees that IDEA allows for some flexibility in how a State implements its monitoring system and processes, which has resulted in some variability among State-designed monitoring systems. In July 2023, OSEP issued guidance (OSEP QA 23-01) to better inform SEAs and LEAs of their general supervision responsibility over their local programs including an explanation

of what OSEP considers to be the necessary components of a reasonably designed State general supervision system. While each State has the flexibility to develop its own model of general supervision and may elect to address the underlying Federal requirements in different ways, it is OSEP's longstanding position that an effective system of general supervision used to monitor LEAs, would, at a minimum, include eight components: 1) Integrated monitoring activities; 2) Data on processes and results; 3) The SPP/APR; 4) Fiscal management; 5) Effective dispute resolution; 6) Targeted TA and professional development; 7) Policies, procedures, and practices resulting in effective implementation; and 8) Improvement, correction, incentives, and sanctions.

OSEP appreciates the commenters' feedback regarding the nuances among State systems of general supervision that may impact an effort to compare States' general supervision systems. OSEP notes that the measurement used in the proposed general supervision indicator does not, in and of itself, measure one State against other States. Instead, the purpose of the proposed general supervision indicator is to ensure that the State has its own general supervision system that includes multiple components such as monitoring to: (1) improve educational results and functional outcomes for children with disabilities; and (2) ensure that LEAs meet the requirements under IDEA. 20 U.S.C. §§

1412(a)(11)and 1416(a); 34 C.F.R. §§ 300.149, 300.600-300.604, and 300.608.

Changes: None.

Comment: Multiple comments from individuals and advocacy organizations expressed support for OSEP to re-establish the IDEA Part B SPP/APR Related Requirements document, which was most recently issued in 2017. Additionally, these commenters recommended OSEP require SEAs to expand the general supervision indicator to include data related to students with the most significant cognitive disabilities, stakeholder engagement, dispute resolution, consideration of special factors in IEP development, and restraint and seclusion.

Discussion: OSEP appreciates the commenters' request for additional information to be included in the IDEA Part B SPP/APR Related Requirements document as well as in the general supervision indicator itself. In connection with this indicator, OSEP proposes to reinstate the IDEA Part B SPP/APR Related Requirements document that was previously approved in 2017. This document includes a list of each of the Monitoring Priorities and Indicators in the SPP/APR and the statutory and regulatory requirements that are related to each priority and indicator. OSEP believes that the list of related statutory and regulatory references included in the IDEA Part B SPP/APR Related

Requirements document addresses most of the suggested additions proposed by the commenters, with the exception of adding a requirement related to reporting the use of restraint and seclusion. OSEP notes that restraint and seclusion were not included in the IDEA Part B SPP/APR Related Requirements document because IDEA and its implementing regulations do not expressly allow or prohibit the use of restraints or seclusion.

The commenters also seemed to suggest that OSEP should revise the proposed general supervision indicator to require SEAs to report on data related to students with the most significant cognitive disabilities, stakeholder engagement, dispute resolution, consideration of special factors in IEP development, and restraint and seclusion. As previously discussed, OSEP is phasing in the general supervision indicator to require reporting on the identification and correction of all findings of noncompliance as part of the State's general supervision responsibilities, which includes findings made through fiscal monitoring, Part B SPP/APR Related Requirements, and other areas of monitoring by the State. Starting with the FFY 2023 SPP/APR (submitted in February 2025), States will be required to report on the identification and correction of all noncompliance related to the SPP/APR compliance indicators. Ultimately, this indicator will be broadened in the next SPP/APR cycle for FFY 2026 through FFY 2031 to also require reporting on the identification and

correction of all noncompliance related to the State's general supervision responsibilities. This would include fiscal monitoring, related requirements for results indicators, and other areas of monitoring by the State. Many of the topics the commenters requested OSEP address are either already included in the data collected to report on this proposed indicator through the IDEA Part B SPP/APR Related Requirements document and/or addressed through OSEP's DMS 2.0 monitoring.

Changes: None.

Comment: Several commenters representing SEAs described the staff shortages many States are experiencing. The commenters requested that OSEP rescind the proposal for the general supervision indicator due to the additional burden and strain the completion of the general supervision indicator would have on SEA staff.

Discussion: OSEP agrees that shortages in personnel have presented challenges in the field of education at the State and local levels. However, OSEP's proposed general supervision indicator does not require States to collect any additional or new information; rather, it requires the reporting of data and information already collected by States as part of a State's general supervision system. OSEP will consider how the Department's online SPP/APR submission tool can reduce redundancies and increase efficiencies within the administrative

functions that are required to complete the SPP/APR.

Additionally, OSEP will continue to provide States with technical assistance and support through national technical assistance calls, broad dissemination of relevant resources, support from OSEP-funded technical assistance centers, and individual meetings with States.

Changes: None.

Comment: Several commenters representing SEAs expressed concerns that the general supervision indicator would take effect too soon and requested that any significant changes to the SPP/APR be delayed until OSEP released guidance for State implementation of IDEA's general supervision requirements. Additionally, several commenters suggested it is premature of OSEP to propose adding a general supervision indicator prior to completion of the first cycle of OSEP's DMS 2.0 cohort of States.

Discussion: As noted previously in this document, on July 24, 2023 OSEP released OSEP QA 23-01, guidance to provide States with accessible and actionable information necessary to exercise their general supervision responsibilities to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; and that

the rights of children with disabilities and their parents are protected. OSEP has weighed the concerns presented by commenters regarding States' ability to report on their general supervision obligations under IDEA sections 612(a)(11) and 616(a)(3)(B) and 34 C.F.R. §§ 300.149 and 300.600(d)(2), against the urgent need to focus on improving outcomes for children with disabilities. OSEP does not agree with the commenters' request to delay the implementation of the proposed general supervision indicator. OSEP believes that improved outcomes for children with disabilities starts with compliance with IDEA. Therefore, OSEP believes that it has taken reasonable steps to support States' reporting of their general supervision obligations - for example, through the timely release of OSEP QA 23-01, the phased-in approach of the proposed general supervision indicator (as detailed in previous responses), and the requirement to report on existing data and information collected through the State's general supervision system, rather than creating new or additional data requirements, or information collection systems. Further, OSEP is committed to supporting States and, together with OSEP-funded technical assistance centers, will provide additional technical assistance to assist States.

Changes: None.

Comment: Several commenters from SEAs expressed concerns about their State's ability to meet the reporting requirements in the proposed general supervision indicator with their existing data systems. Many of these commenters believe that the proposed general supervision indicator would impose a technical burden on strained State systems due to the need to compile data from multiple sources, reformat data into the SPP/APR specifications, and adhere to requirements of the Department's online SPP/APR submission tool.

Discussion: OSEP acknowledges the strains that personnel shortages have created at all levels of special education (as discussed previously) and appreciates the commenters' feedback regarding the administrative impact the proposed general supervision indicator may have on State personnel. OSEP is committed to exploring possible ways to streamline the administrative process for populating the SPP/APR, including further exploring the functionalities of the Department's online SPP/APR submission tool to determine how OSEP can better support user needs. Additionally, while the proposed general supervision indicator does not require States to engage in any new data collection, OSEP acknowledges that the proposed general supervision indicator requires States to compile data from potentially multiple existing data sources To that extent,

compiling these existing data may impose a minimal burden on SEAs.

Changes: Based on feedback received during the 60-day public comment period, OSEP is proposing a nominal increase in the estimate of the reporting burden for this information collection. OSEP believes that any burden associated with this information collection is outweighed by the need for transparency and efforts to improve outcomes for children with disabilities gained by the focus on State general supervision systems under IDEA. It is estimated that it will take an average of 5 hours, i.e., approximately the equivalent of a half-day meeting, to run reports or obtain relevant information from State staff regarding the correction of findings of noncompliance related to SPP/APR compliance indicators, analyze data, and complete data entry. Therefore, OSEP is revising the burden estimate to reflect an additional five hours in burden per response.