

**Annual Mandatory Collection of Elementary and Secondary
Education Data through *EDFacts***

November 2024

May 2025

ATTACHMENT E

***EDFacts* Data Set
Inclusion of IDEA Part C 618**

OMB No. 1850-0925 v.12

WHAT IS INCLUDED

Starting with SY 2025-26, IDEA Part C 618 collections will be fully integrated into the *EDFacts* collection system, *EDPass*. This includes all four reports:

1. Report of Children Receiving Early Intervention Services in Accordance With Part C
2. Report of Program Settings in Accordance With Part C
3. Report on Infants and Toddlers Existing Part C
4. Report of Dispute Resolution Under Part C of the Individuals With Disabilities Education Act

Please note that for this 60-day package, the content of the four reports is presented in this attachment. What is presented in this attachment has already been approved in two different ICR packages (1820-0557 and 1820-0678). In the 30-day package, the collection will be presented in Attachment A alongside other data collected, and in Attachment C alongside other metadata collected.

REPORT OF CHILDREN RECEIVING EARLY INTERVENTION SERVICES IN ACCORDANCE WITH PART C

TABLE 1

REPORT OF CHILDREN RECEIVING EARLY INTERVENTION SERVICES IN ACCORDANCE WITH PART C

Specific State-Designated Date Between October 1 and December 1 of 2023¹

Paperwork 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 1820-0557. Public reporting burden for this collection of information is estimated to average 42 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 a benefit (P.L. 108.446 Section 618). 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 the Office of Special Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email osepIDEAdata@ed.gov directly.

All States must submit these data via the IDEA Part C Child Count and Setting survey in the ED Facts online survey tool, EMAPS.

Instructions

Authorization: 20 U.S.C. 1418(a)(1)(B), (a)(2), and (a)(3) and 1435(c)(3)

Sampling Allowed: No

General Instructions

1. Report the number of eligible children receiving early intervention services according to an active individualized family service plan (IFSP) in place on the count date in Sections A, B, and C.² This must be an unduplicated count within each State; each child is counted once and only once within the State.
2. The count date for Sections A, B, and C is a state-designated date between October 1, 2023 and December 1, 2023 (inclusive), and that date should remain consistent each year.³
3. Report the cumulative number of infants and toddlers with disabilities, ages birth through 2, who received early intervention services (as defined below) during the most recent 12-month period for which data are available in Sections D and E.
4. All reported totals must equal the sum of the subsequent rows or columns. Report zeroes (0) where

¹ This collection also includes cumulative numbers of infants and toddlers receiving early intervention services during the most recent 12-month period for which data are available.

² Include children for whom the only early intervention services on the IFSP for which parental consent was provided are service coordination services or services provided to the family, such as counseling, family training, and home visits.

³ OSEP recognizes that, rather than referencing a numerical date (such as November 1) for taking its Child Count each year, some States may have identified a specific day of the week in a given month each year (such as the last Friday of each October). In addition, some States may be unable to reference the same Child Count date if, in a given year, that date falls on a weekend. Therefore, it is acceptable for the actual date of the Child Count in any given year to slide within six (6) days of the State-established reference date without generating any error flags upon submission to the Federal data system.

there are no children to report in a data cell.

5. Include children in your State who are:

- a. Under age three and either (i) Experiencing developmental delays as defined by the State under 20 U.S.C. 1432(5)(A)(i) and 1435(a)(1); or (ii) Diagnosed with a physical or mental condition which has a high probability of resulting in developmental delay under IDEA Section 632(5)(A)(i). Include these children in sections A, B, C, and D.
- b. Under age three and at risk of having substantial delays if early intervention services are not provided, if your state has elected under 20 U.S.C. 1432(5)(B)(i) to serve such children. Include these children in sections A, B, and C, but not D.
- c. Age three and older if your state has elected under 20 U.S.C. 1432(5)(B)(ii) and 1435(c) to provide parents the choice of, and the child's parent has consented to their child, continuing to receive Part C services (in lieu of FAPE) under 20 U.S.C. 1435(c). Include these children in sections A, B, and C, but not D. States that do not have an extended Part C option should NOT provide counts of children age three or older (see #6 below).
- d. Receiving early intervention services regardless of whether federal IDEA Part C funds, IDEA Part B funds, or other funds are used to provide these services.⁴ Early intervention services are developmental services that:
 - (i) are provided in conformity with an IFSP;
 - (ii) are provided under public supervision (i.e., Federal, State, or local funds are used in connection with the provision of services). This includes children receiving services through a program funded by public monies as well as children receiving services from a private provider, but whose services are supervised or paid for by a public agency;
 - (iii) are provided at no cost except where Federal or State law provides for a system of payments by families, including a schedule of sliding fees;
 - (iv) are designed to meet the developmental needs of an infant or toddler with a disability (as defined in 20 U.S.C. 1432(5));
 - (v) meet the standards of the State and the requirements of IDEA; and
 - (vi) are provided, to the maximum extent appropriate, in natural environments.

More detailed information about the definition of early intervention services can be found in 20 U.S.C. 1432(4) and in 34 C.F.R. §§ 303.13 and 303.16.

6. Do NOT include on this form children age 3 or older (for example, who are receiving FAPE using

⁴ Include children for whom the only early intervention services on the IFSP for which parental consent was provided are service coordination services or services provided to the family, such as counseling, family training, and home visits. Include all children for whom Part C personnel have been unable to provide early intervention services due to child or family circumstances, lack of response from the parent or family, or inability to contact or locate the family or child after repeated, documented attempts.

Part C funds under 20 U.S.C. 1438(3)) unless your state has elected under 20 U.S.C. 1432(5)(B)(ii) and 1435(c) to provide parents the choice of, and the child's parent has consented to their child, continuing to receive Part C services under 20 U.S.C. 1435(c).

7. STATES SHOULD NOT PROVIDE PERCENTAGES IN SECTIONS A OR B, AS THEY WILL BE CALCULATED AFTER THE COUNTS ARE SUBMITTED.

8. In providing data for this collection, the State is to submit complete and unsuppressed data.

Instructions for Section A: Age and Race/Ethnicity

1. Enter the count date (a date between October 1, 2023 and December 1, 2023, inclusive).
2. Report the (unduplicated) number of children receiving early intervention services according to an active IFSP in place on the count date, according to the child's age and race/ethnicity. This count should include:
 - a. In Section A.1, all infants and toddlers with disabilities as defined in 20 U.S.C. 1432(5)(A) and (B)(i), ages birth through 2; and
 - b. In Section A.2, any children with disabilities as defined in 20 U.S.C. 1432(5)(B)(ii), ages 3 or older, who are continuing to receive early intervention services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c). If your state does not offer parents the choice of continuing to receive Part C services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c), leave this section blank.
3. Report children in the appropriate category according to their age on the count date. See instructions below for reporting race/ethnicity.
4. Report children less than 1 year of age in the "birth to 1" cell.
5. States must provide data for each discrete age and age grouping (birth through age 2 and, if appropriate, age 3 or older).
6. States that have discrete age data available must base this report on these actual data. States that do not have data for each discrete age are required to report actual data for the age groupings for birth through age 2 and, if appropriate, age 3 or older.

Instructions for Section B: Gender

1. Report yes or no if your state collects more than two reporting categories for gender (male and female)?
2. Report the (unduplicated) number of children receiving early intervention services according to an active IFSP in place on the count date, according to the child's gender. This count should include:
 - a. In Section B.1, all infants and toddlers with disabilities as defined in 20 U.S.C. 1432(5)(A) and (B)(i), ages birth through 2; and
 - b. In Section B.2, any children with disabilities as defined in 20 U.S.C. 1432(5)(B)(ii), ages 3 or older, who are continuing to receive early intervention services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c). If your state does not offer parents the choice of continuing Part C services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c), leave this section blank.
3. The total number of children reported in Section B.1 should equal the total number of children reported in Section A.1. The total number of children reported in Section B.2 should equal the total number of children reported in Section A.2.

Instructions for Section C: At Risk

(TO BE COMPLETED ONLY BY STATES THAT SERVE AT-RISK INFANTS AND TODDLERS)

1. Report the (unduplicated) number of infants and toddlers, ages birth through 2, who were determined under 20 U.S.C. 1432(5)(B)(i) to be at risk of experiencing substantial developmental delays if early intervention services were not provided and who have an active IFSP in place on the count date. These infants and toddlers should also be reported in Sections A.1 and B.1.
2. Report at-risk children according to their age (birth to 1, 1 to 2, or 2 to 3) on the count date. See instructions below for reporting race/ethnicity.

Instructions for Section D: Cumulative Count by Race/ Ethnicity

1. Enter the start and end dates of the most recent 12-month period for which the cumulative count of infants and toddlers, ages birth through 2, who receiving early intervention services are available. For example, if data on the total number of infants and toddlers served during the period from July 1, 2019, through June 30, 2020, are available, report this count and the corresponding dates in this Section.
2. Report the cumulative number of infants and toddlers with disabilities, ages birth through 2, who received early intervention services (as defined above) during the most recent 12-month period for which data are available, according to the child's race/ ethnicity.
3. Do NOT include children ages 3 or older in this count.

Instructions for Section E: Cumulative Count by Gender

1. Report the cumulative number of infants and toddlers with disabilities, ages birth through 2, who received early intervention services (as defined above) during the most recent 12-month period for which data are available, according to the child's gender.
2. The total number of children reported in Section E should equal the total number of children reported in Section D.

Race/Ethnicity Instructions (Sections A, C, and D)

States must report the unduplicated count of all children served under IDEA, Part C by race/ethnicity of the child, not the family, based on the October 2007 Final Guidance on Maintaining, Collecting and Reporting Racial and Ethnic Data to the U.S. Department of Education in the Federal Register (Vol. 72, No. 202, available at <http://www.gpoaccess.gov/nara/index.html>). The following definitions of the seven categories for aggregate report of race/ethnicity have been adapted from definitions appearing in this Guidance.

Hispanic/Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. Refers to Hispanic and/or Latino.
American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Black or African American	A person having origins in any of the Black racial groups of Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Two or more races	A person having origins in <u>two or more</u> of the five <u>race</u> categories listed immediately above. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Total	The unduplicated total across the seven (7) race/ethnicity designations.

Note that each child should be reported in only one of the race/ethnicity categories, above.

REPORT OF CHILDREN RECEIVING
EARLY INTERVENTION SERVICES IN ACCORDANCE WITH PART C

OMB NO.: 1820-0557
FORM EXPIRES: xx/xx/xxxx

STATE: _____

CHILD COUNT 2023

SECTION A

COUNT DATE:	MONTH _____	DAY _____	AR _____	YE _____
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A.1. AGE AND RACE/ETHNICITY OF INFANTS AND TODDLERS, AGES BIRTH THROUGH 2					
	Total	birth to 1	1 to 2	2 to 3	Percent*
TOTAL (ROWS 1-7)					100%
1. HISPANIC/LATINO					
2. AMERICAN INDIAN OR ALASKA NATIVE					
3. ASIAN					
4. BLACK OR AFRICAN AMERICAN					
5. NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER					
6. WHITE					
7. TWO OR MORE RACES					
PERCENT *	100%				

A.2. AGE AND RACE/ETHNICITY OF CHILDREN, AGES 3 OR OLDER					
	Total	3 to 4	4 to 5	5 or older	Percent*
TOTAL (ROWS 1-7)					100%
1. HISPANIC/LATINO					
2. AMERICAN INDIAN OR ALASKA NATIVE					
3. ASIAN					
4. BLACK OR AFRICAN AMERICAN					
5. NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER					
6. WHITE					
7. TWO OR MORE RACES					
PERCENT *	100%				

* STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION. THESE WILL BE CALCULATED BY EMAPS.

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

REPORT OF CHILDREN RECEIVING
EARLY INTERVENTION SERVICES IN ACCORDANCE WITH
PART C

OMB NO.: 1820-0557
FORM EXPIRES: xx/xx/xxxx

CHILD COUNT 2023

STATE: _____

SECTION B

B.1. GENDER OF INFANTS AND TODDLERS, AGES BIRTH THROUGH 2, RECEIVING EARLY INTERVENTION SERVICES		
	Total	Percent*
TOTAL BIRTH THROUGH 2		100%
1. MALE		
2. FEMALE		

B.2. GENDER OF CHILDREN, AGES 3 OR OLDER, RECEIVING EARLY INTERVENTION SERVICES		
	Total	Percent*
TOTAL 3 OR OLDER		100%
1. MALE		
2. FEMALE		

* STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION. THESE WILL BE CALCULATED BY EMAPS.

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

CHILD COUNT 2023

STATE: _____

SECTION C
 (TO BE COMPLETED ONLY BY STATES THAT SERVE AT-RISK INFANTS AND TODDLERS)

AT-RISK INFANTS AND TODDLERS, AGES BIRTH THROUGH 2 (THESE INFANTS AND TODDLERS SHOULD BE INCLUDED IN COUNTS FOR SECTIONS A.1 AND B.1)				
	Total	AGE AS OF CHILD COUNT DATE		
		birth to 1	1 to 2	2 to 3
TOTAL (ROWS 1-7)				
1. HISPANIC/LATINO				
2. AMERICAN INDIAN OR ALASKA NATIVE				
3. ASIAN				
4. BLACK OR AFRICAN AMERICAN				
5. NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER				
6. WHITE				
7. TWO OR MORE RACES				

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

REPORT OF CHILDREN RECEIVING

OMB NO.: 1820-0557

EARLY INTERVENTION SERVICES IN ACCORDANCE WITH
PART C

FORM EXPIRES: xx/xx/xxxx

CHILD COUNT 2023

STATE: _____

SECTION D

CUMULATIVE NUMBER OF INFANTS AND TODDLERS WHO RECEIVED EARLY INTERVENTION SERVICES
FROM ____/____/____ TO ____/____/____ (SPECIFY EXACT DATES)

D. CUMULATIVE COUNT OF INFANTS AND TODDLERS, AGES BIRTH THROUGH 2, BY RACE/ETHNICITY					
	Total	birth to 1	1 to 2	2 to 3	Percent*
TOTAL (ROWS 1-7)					100%
1. HISPANIC/LATINO					
2. AMERICAN INDIAN OR ALASKA NATIVE					
3. ASIAN					
4. BLACK OR AFRICAN AMERICAN					
5. NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER					
6. WHITE					
7. TWO OR MORE RACES					
PERCENT *	100%				

*STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION. THESE WILL BE CALCULATED BY EMAPS.

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

STATE: _____

SECTION E

E. CUMULATIVE COUNT OF INFANTS AND TODDLERS, AGES BIRTH THROUGH 2, RECEIVING EARLY INTERVENTION SERVICES BY GENDER		
	Total	Percent*
TOTAL BIRTH THROUGH 2		100%
1. MALE		
2. FEMALE		

*** STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION. THESE WILL BE CALCULATED BY EMAPS.**

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

REPORT OF PROGRAM SETTINGS WHERE EARLY
INTERVENTION SERVICES ARE PROVIDED TO CHILDREN WITH
DISABILITIES AND THEIR FAMILIES IN ACCORDANCE WITH
PART C

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

TABLE 2

REPORT OF PROGRAM SETTINGS WHERE EARLY INTERVENTION SERVICES ARE PROVIDED TO CHILDREN WITH DISABILITIES AND THEIR FAMILIES IN ACCORDANCE WITH PART C

Child Count Date for 2023

Paperwork 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 1820-0557. Public reporting burden for this collection of information is estimated to average 17.9 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 a benefit (P.L. 108.446 Section 618). 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 the Office of Special Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email osepIDEAdata@ed.gov directly.

All States must submit these data via the IDEA Part C Child Count and Setting survey in the EDfacts online survey tool, EMAPS.

Instructions

Authorization: 20 U.S.C. 1418(a)(3)

Sampling Allowed: No

General Instructions

1. Report the primary early intervention service setting for all children reported on Table 1, Report of Children Receiving Early Intervention Services in Accordance with Part C for **2023**. These are the children receiving early intervention services according to an active individualized family service plan (IFSP) in place on the date of the Child Count.
2. States *must* use the same date for reporting settings data that is used in reporting the Child Count for that year. Note further that the total count and crosstabulations under this table by age and race must match those provided in the Child Count (Table 1).
3. Your count should include infants and toddlers with disabilities (as defined in 20 U.S.C. 1432(5)(A) and (B)(i)) who are under age three, and also children with disabilities age three and older, if your state has elected under 20 U.S.C. 1432(5)(B)(ii) and 1435(c) to provide parents the choice of, and the child's parent has consented to their child, continuing to receive Part C services (in lieu of FAPE) under 20 U.S.C. 1435(c).
4. Do NOT include children age three or older (for example, who are receiving FAPE using Part C funds under 20 U.S.C. 1438(3)) unless your state has elected under 20 U.S.C.

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

1432(5)(B)(ii) and 1435(c) to provide parents the choice of, and the child's parent has consented to their child, continuing to receive Part C services under 20 U.S.C. 1435(c).

5. All totals must represent the sum of the successive rows or columns.
6. In providing data for this collection, the State is to submit complete and unsuppressed data.

Specific Row (Setting) Instructions

For each early intervention service setting, report the number of children whose IFSP indicates this is the primary early intervention setting. This is an unduplicated count; within each section, each child is counted once and only once.

Report children and families in one of the following setting categories:

Home. Unduplicated count of children whose early intervention services are provided primarily in the residence of the child's family or caregivers.

Community-based Setting. Unduplicated count of children whose early intervention services are provided primarily in a setting where children without disabilities typically are found. These settings include but are not limited to child care centers (including family child care), Early Head Start Programs, preschools, early childhood centers, and community centers (e.g., YMCA, Boys and Girls Clubs).

Other Setting. Unduplicated count of children whose early intervention services are provided primarily in a setting that is not home or community-based. These settings include, but are not limited to, services provided in a hospital, residential facility, clinic, and early intervention center/class for children with disabilities.

Primary setting is the service setting in which the child receives the largest number of hours of Part C early intervention services. Determination of primary setting should be based on the information included on the IFSP in place on the Child Count date.

- If, according to the IFSP, the only early intervention services that are provided are service coordination services or services provided to a family member, such as counseling, family training, and home visits, report for this child the setting where most of these services are provided. If this information is not specified in the IFSP, report the child in the *other setting* category.
- If, according to the IFSP, all of the early intervention services for a child were delivered in the same setting then that setting is the primary setting. For example, if the IFSP states that the child receives 1 hour of physical therapy services in his or her home each week, and that is the only early intervention service the child receives (in addition to service coordination services) according to the IFSP in place on the Child Count date, then the home is the primary setting for that child.
- If, according to the IFSP, a child was to receive services in more than one setting, report the child in the setting in which he or she was to receive the largest number of hours of early intervention service. For example, a toddler who receives 1 hour of service a month in the home and 4 hours of service a month in a preschool that serves children without disabilities in addition to children

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

with disabilities, should be reported in the category “community-based setting.”

- If, according to the IFSP, there is tie for primary setting (the child was to receive an equal number of hours of service in two or more settings and the child does not receive a higher number of hours of early intervention service in a different setting), report primary setting based on the following decision rules:
 1. If the child receives an equal number of hours of service in the home and one or both of the other settings, report the child in the home setting.
 2. If the child receives an equal number of hours of service in a community-based setting and other settings, report the child in the community-based setting.

Specific Column (Age) Instructions for Section A

1. Report the (unduplicated) number of children with an active IFSP in place on the Child Count date, according to the child’s age and primary setting. This count should include:
 - a. In Section A.1, all infants and toddlers, ages birth through 2; and
 - b. In Section A.2, any children, ages 3 or older, with disabilities continuing in early intervention services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c). If your state does not offer parents the choice of continuing Part C services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c), leave this section blank.
2. Report children according to their age on the date of the Child Count.
3. For each column, the total number of infants and toddlers reported for that age in Section A.1 should equal the number of infants and toddlers reported for that age in Section A.1 of Table 1, Report of Children Receiving Early Intervention Services in Accordance with Part C.
4. For each column, the total number of children reported for that age column in Section A.2 should equal the number of children reported for that age in Section A.2 of Table 1, Report of Children Receiving Early Intervention Services in Accordance with Part C.

Specific Column (Race/Ethnicity) Instructions for Section B

1. Report the (unduplicated) number of children with an active IFSP in place on the Child Count date, according to the child’s race/ethnicity and primary setting. This count should include:
 - a. In Section B.1, all infants and toddlers, ages birth through 2; and
 - b. In Section B.2, any children, ages 3 or older, with disabilities continuing in early intervention services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c). If your state does not offer parents the choice of continuing Part C services under 20 U.S.C. 1432(5)(B)(ii) and 1435(c), leave this section blank.
2. For each row (setting), the total number of children reported for that setting in Section B.1 should equal the total number of children reported for that setting in Section A.1.
3. For each row (setting), the total number of children reported for that setting in Section B.2 should equal the total number of children reported for that setting in Section A.2.
4. For each column (race/ethnicity), the total number of infants and toddlers reported for that

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

race/ethnicity category in Section B.1 should equal the number of infants and toddlers reported for that race/ethnicity category in Section A.1 of Table 1, Report of Children Receiving Early Intervention Services in Accordance with Part C.

5. For each column (race/ethnicity), the total number of children reported for that race/ethnicity category in Section B.2 should equal the number of children reported for that race/ethnicity category in Section A.2 of Table 1, Report of Children Receiving Early Intervention Services in Accordance with Part C.

States must report the unduplicated count of all children served under IDEA, Part C by race/ethnicity of the child, not the family based on the October 2007 Final Guidance on Maintaining, Collecting and Reporting Racial and Ethnic Data to the U.S. Department of Education in the Federal Register (Vol. 72, No. 202, available at <http://www.gpoaccess.gov/nara/index.html>). The following definitions of the seven categories for aggregate report of race/ethnicity have been adapted from definitions appearing in this Guidance.

Hispanic/Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. Refers to Hispanic and/or Latino.
American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Black or African American	A person having origins in any of the Black racial groups of Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Two or more races	A person having origins in <u>two or more</u> of the five <u>race</u> categories listed immediately above. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Total	The unduplicated total across the seven (7) race/ethnicity designations.

Note that each child should be reported in only one of the race/ethnicity categories, above.

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

TABLE 2
 REPORT OF PROGRAM SETTING WHERE EARLY INTERVENTION
 SERVICES
 ARE PROVIDED TO CHILDREN WITH DISABILITIES
 AND THEIR FAMILIES IN ACCORDANCE WITH PART C

 CHILD COUNT DATE FOR 2023

STATE: _____

SECTION A

A.1. AGE GROUP AND SETTING OF INFANTS AND TODDLERS, AGES BIRTH THROUGH 2				
	Total	birth to 1	1 to 2	2 to 3
TOTAL (ROWS 1-3)				
1. HOME				
2. COMMUNITY-BASED SETTING				
3. OTHER SETTING				

A.2. AGE GROUP AND SETTING OF CHILDREN, AGES 3 OR OLDER				
	Total	3 to 4	4 to 5	5 to 6
TOTAL (ROWS 1-3)				
1. HOME				
2. COMMUNITY-BASED SETTING				
3. OTHER SETTING				

ORIGINAL SUBMISSION/REVISION (Circle one)

CURRENT DATE: _____

REPORT ON INFANTS AND TODDLERS EXITING PART C

TABLE 3

REPORT ON INFANTS AND TODDLERS EXITING PART C⁵ 2022 - 2023

Paperwork 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 1820-0557. Public reporting burden for this collection of information is estimated to average 54.6 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 a benefit (P.L. 108.446 Section 618). 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 the Office of Special Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email osepIDEAdata@ed.gov directly.

All States must submit these data via the IDEA Part C Exiting survey in the EDFacts online survey tool, EMAPS.

Instructions

Authorization: 20 U.S.C. 1418(a)(1)(C) and (a)(3)
Sampling Allowed: No

General Instructions

1. Report the number of infants and toddlers with disabilities who, during the 12-month reporting period, either no longer received services under Part C prior to age three or reached age three, and for each child, report by race/ethnicity, gender, and reason that services are no longer received.
2. States should report counts for a 12-month reporting period. The State can determine the 12-month reporting period of data collection. This 12-month window (reporting period) should be the same for each annual report of these data. States must indicate on the form the specific 12-month period the State used for reporting. If the State needs to revise the dates for its 12-month reporting period, it should notify OSEP in advance of any change in the State-identified reporting period.
3. Include on the form any child who was under age three and had an active individualized family service plan (IFSP) in place at some point during the reporting period and at the end of the reporting period either was no longer receiving services under Part C or had reached his or her third birthday.
4. The infants and toddlers with disabilities represented on this form must be an unduplicated

⁵Note that in addition to capturing infants and toddlers exiting the Part C program, this form also requires reporting on those children with disabilities who may continue to receive services under Part C under 20 U.S.C. 1435(c).

- count; no child should be counted more than once during the 12-month reporting period. If a child is identified as no longer receiving services under Part C more than once during the reporting period, report the reason that services are no longer being received based on the last time the child exited (i.e., report the child in the category that corresponds to the most recent reason for no longer receiving services under Part C).
5. Do NOT report a child as exiting Part C if:
 - the child had turned age three at the start of the reporting period;⁶ or
 - services were temporarily interrupted and subsequently resumed before the end of the reporting period; or
 - the child was under age three at the end of the reporting period and had an active IFSP, even if services were intermittently stopped during the reporting period.
 6. If your State serves infants and toddlers who are at risk of having substantial delays if early intervention services are not provided as specified under 20 U.S.C. 1432(5)(B)(i), include these children in the table counts if they were no longer receiving service under Part C or reached age three during the reporting period.
 7. All reported totals must equal the sum of the subsequent rows or columns.
 8. For each reason that a child is no longer receiving services under Part C, the total number of children reported by race/ethnicity in Section A must equal the total number of children reported for that exit reason by gender in Section B.
 9. STATES SHOULD NOT PROVIDE PERCENTAGES IN SECTIONS A AND B. THESE WILL BE CALCULATED BY EDFACTS ONLINE SURVEY TOOL, EMAPS.
 10. In providing data for this collection, the State is to submit complete and unsuppressed data.

Specific Row (Reason for No Longer Receiving Services) Instructions

Using the categories below, report each infant or toddler with a disability, as defined in 20 U.S.C. 1432(5), who reached age three or were no longer receiving services under Part C within this 12-month reporting period according to the most recent reason for no longer receiving services.

There are three major groupings of reasons: Program Completion (category 1), Exit at Age Three (categories 2 through 6), and Not Receiving Services (categories 7 through 10). The categories within each of these groupings are defined below.

⁶These children should have been counted in the previous reporting period under “Exit at Age Three”.

A. Program Completion

1. No longer eligible for Part C prior to reaching age three. Include all children who within this 12-month reporting period, have exited Part C before age three because they are no longer eligible under IDEA, Part C.

B. Exit at Age Three

2. Part B eligible, exiting Part C. Include all children determined to be eligible for Part B during the reporting period and who exited (or will soon exit) Part C. This includes children who receive Part B services in conjunction with Head Start.
3. Part B eligible, continuing in Part C. Include all children determined to be eligible for Part B, and whose parents were offered and consented to have their child remain in Part C under 20 U.S.C. 1432(5)(B)(ii) and 1435(c). The Part B eligible, continuing in Part C category may ONLY be used by a state whose application for IDEA Part C funds includes a policy under which parents of children with disabilities who were eligible for services under IDEA Section 619 and previously received services under Part C may continue to receive early intervention services under Part C beyond age three. States that do not offer this option under 20 U.S.C. 1432(5)(B)(ii) and 1435(c) may NOT report children in this category.
4. Not eligible for Part B, exit with referrals to other programs. Include all children *who reached age three*, were evaluated and determined not eligible for Part B, and were referred to other programs, which may include preschool learning centers, Head Start (but not receiving Part B services), and child care centers, and/or were referred for other services, which may include health and nutrition services, such as the Women, Infants, and Children (WIC) Nutrition Program.
5. Not eligible for Part B, exit with no referrals. Include all children *who reached age three*, were evaluated and determined not eligible for Part B and were not referred to other programs.
6. Part B eligibility not determined, other. Include all children *who reached age three* and their Part B eligibility was not made or reported during this reporting period, and who have not been reported in categories 2-5 above.

List the categories (not including categories 2-5 above) that your state uses to collect data on children who reached age three and their Part B eligibility was not made or reported during this reporting period.

C. Not Receiving Services

7. Deceased. Include all children who died before their third birthday, even if their death occurred at the age of exit. Include only children who died during the reporting period.
8. Moved out of State. Include all children who moved out of state before their third birthday. Include only children who moved during the reporting period. Do not report a

child who moved within State (i.e., from one program to another) if services are known to be continuing.

9. Withdrawal by parent (or guardian). Include all children under the age of three whose parents declined all services (including service coordination services) after an IFSP was in place, or declined to consent to Part C services on the IFSP and provided written or verbal indication of withdrawal from Part C services.
10. Attempts to contact the parent and/or child were unsuccessful. Include all children, under the age of three, who had an active IFSP, and for whom Part C personnel have been unable to provide early intervention services either due to lack of response from the parent or family, or inability to contact or locate the family or child after repeated, documented attempts. Include in this category any child who was no longer receiving services under Part C before reaching age three, and who has not been reported in categories 7-10 above.

Specific Column Instructions for Section A: Race/Ethnicity

States must report the unduplicated count of all children served under IDEA, Part C by race/ethnicity of the child, not the family based on the October 2007 Final Guidance on Maintaining, Collecting and Reporting Racial and Ethnic Data to the U.S. Department of Education in the Federal Register (Vol. 72, No. 202, available at <http://www.gpoaccess.gov/nara/index.html>). The following definitions of the seven categories for aggregate report of race/ethnicity have been adapted from definitions appearing in this Guidance.

Hispanic/Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. Refers to Hispanic and/or Latino.
American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Black or African American	A person having origins in any of the Black racial groups of Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Two or more races	A person having origins in <u>two or more</u> of the five <u>race</u> categories listed immediately above. (<u>Does not</u> include persons of Hispanic/Latino ethnicity.)
Total	The unduplicated total across the seven (7) race/ethnicity designations.

Note that each child should be reported in only one of the race/ethnicity categories, above.

Specific Column Instructions for Section B: Gender

1. Report the (unduplicated) number of children with an active IFSP in place at some point during the reporting period and at the end of the reporting period either was no longer receiving services under Part C or had reached his or her third birthday, according to the child's gender and reason for no longer receiving services.
2. The total numbers of children reported in Section B should equal the total numbers of children reported in Section A by reason for no longer receiving services.

SECTION A : PERCENT*

REASON FOR EXIT	TOTAL	HISPANIC/ LATINO	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN	BLACK OR AFRICAN AMERICAN	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	WHITE	TWO OR MORE RACES
PERCENT* EXITING BY RACE/ETHNICITY (ROWS 1-10)	100%							
PROGRAM COMPLETION								
1. NO LONGER ELIGIBLE FOR PART C PRIOR TO REACHING AGE THREE	100%							
EXIT AT AGE THREE								
2. PART B ELIGIBLE, EXITING PART C	100%							
3. PART B ELIGIBLE, CONTINUING IN PART C	100%							
4. NOT ELIGIBLE FOR PART B, EXIT WITH REFERRALS TO OTHER PROGRAMS	100%							
5. NOT ELIGIBLE FOR PART B, EXIT WITH NO REFERRALS	100%							
6. PART B ELIGIBILITY NOT DETERMINED, OTHER	100%							
NOT RECEIVING SERVICES								
7. DECEASED	100%							
8. MOVED OUT OF STATE	100%							
9. WITHDRAWAL BY PARENT (OR GUARDIAN)	100%							
10. ATTEMPTS TO CONTACT UNSUCCESSFUL	100%							

* STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION, AS THEY WILL BE CALCULATED AFTER THE COUNTS ARE SUBMITTED.

STATE: _____

SECTION B

REASON FOR EXIT	TOTAL	MALE	FEMALE
TOTAL NUMBER OF INFANTS AND TODDLERS EXITING BY GENDER (ROWS 1-10)			
PROGRAM COMPLETION			
1. NO LONGER ELIGIBLE FOR PART C PRIOR TO REACHING AGE THREE			
EXIT AT AGE THREE			
2. PART B ELIGIBLE, EXITING PART C			
3. PART B ELIGIBLE, CONTINUING IN PART C			
4. NOT ELIGIBLE FOR PART B, EXIT WITH REFERRALS TO OTHER PROGRAMS			
5. NOT ELIGIBLE FOR PART B, EXIT WITH NO REFERRALS			
6. PART B ELIGIBILITY NOT DETERMINED, OTHER			
NOT RECEIVING SERVICES			
7. DECEASED			
8. MOVED OUT OF STATE			
9. WITHDRAWAL BY PARENT (OR GUARDIAN)			
10. ATTEMPTS TO CONTACT UNSUCCESSFUL			

SECTION B: PERCENT*

REASON FOR EXIT	TOTAL	MALE	FEMALE
PERCENT* EXITING BY GENDER (ROWS 1-10)	100%		
PROGRAM COMPLETION			
1. NO LONGER ELIGIBLE FOR PART C PRIOR TO REACHING AGE THREE	100%		
EXIT AT AGE THREE			
2. PART B ELIGIBLE, EXITING PART C	100%		
3. PART B ELIGIBLE, CONTINUING IN PART C	100%		
4. NOT ELIGIBLE FOR PART B, EXIT WITH REFERRALS TO OTHER PROGRAMS	100%		
5. NOT ELIGIBLE FOR PART B, EXIT WITH NO REFERRALS	100%		
6. PART B ELIGIBILITY NOT DETERMINED, OTHER	100%		
NOT RECEIVING SERVICES			
7. DECEASED	100%		
8. MOVED OUT OF STATE	100%		
9. WITHDRAWAL BY PARENT (OR GUARDIAN)	100%		
10. ATTEMPTS TO CONTACT UNSUCCESSFUL	100%		

* STATES SHOULD NOT PROVIDE PERCENTAGES IN THIS SECTION, AS THEY WILL BE CALCULATED AFTER THE COUNTS ARE SUBMITTED.

REPORT OF DISPUTE RESOLUTION UNDER PART C OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT

TABLE 4

Report of Dispute Resolution Under Part C of the Individuals with Disabilities Education Act

July 1, 2022 – June 30, 2023

Paperwork 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 1820-0678. Public reporting burden for this collection of information is estimated to average 40 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 a benefit (P.L. 108.446 Section 618). 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 the Office of Special Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email osepIDEAdata@ed.gov directly.

All States must submit these data via the IDEA Part C Dispute Resolution survey in the ED Facts online survey tool, EMAPS.

Instructions

Authorization: 20 U.S.C. 1418 (a)(1)(F), (a)(1)(H) and (a)(3)

Sampling Allowed: No

General Instructions

1. Counts should cover an entire year. For this data collection, the reporting year is defined as July 1, 2022 through June 30, 2023.
2. Report only the actions initiated during the 2022-23 reporting year. Do **NOT** include actions initiated in a previous reporting year that continued into the 2021-22 reporting year.
3. Italics in the instructions below denote terms defined in the glossary located at the end of the instructions.
4. No sampling is permitted for this data collection.
5. In providing data for this collection, the State is to submit complete and unsuppressed data.

Specific Instructions, Section A: Written, Signed Complaints

In row 1, enter the total number of *written, signed complaints* filed under 34 C.F.R. §§ 303.432 through 303.434 between July 1, 2022 and June 30, 2023.

- In row 1.1, enter how many of the *written, signed complaints* (row 1) were *complaints with reports issued* as of 60 days following the end of the reporting period; that is, enter how many of the complaints had a written decision from the lead agency as of August 29, 2023. Row 1.1 is a subset of row 1.
 - In row 1.1(a), enter how many of the reports issued were *reports with findings of noncompliance*. Row 1.1(a) is a subset of row 1.1.

Note that the difference between the number entered in row 1.1 and the number entered in 1.1(a) is the number of reports without findings of noncompliance.

- In row 1.1(b), enter how many of the reports issued were *reports within timeline* (60 days). Do NOT include any written decisions issued more than 60 days after the *written, signed complaint* was filed. Row 1.1(b) is a subset of row 1.1.
- In row 1.1(c), enter how many of the reports issued were *reports within extended timeline*. Row 1.1(c) is a subset of row 1.1.

Note that the difference between the number in row 1.1 and the sum of the numbers entered in rows 1.1(b) and 1.1(c) is the number of complaints with reports issued late (not within the 60 day timeline or an extended timeline).

- In row 1.2, enter how many of the *written, signed complaints* (row 1) were *complaints pending* as of August 29, 2023 (60 days following the end of the reporting period). Row 1.2 is a subset of row 1.
 - In row 1.2(a), enter how many of the pending complaints were *complaints pending a due process hearing*. Row 1.2(a) is a subset of row 1.2.

Note that the difference between the number in row 1.2 and the number in row 1.2(a) is the number of *complaints pending* for reasons other than pending a due process hearing.

- In row 1.3, enter how many of the *written, signed complaints* (row 1) were *complaints withdrawn or dismissed* as of August 29, 2023 (60 days following the end of the reporting period). Row 1.3 is a subset of row 1.

Note that the sum of the numbers entered in rows 1.1, 1.2, and 1.3 must equal the total number of *written, signed complaints* (row 1).

Specific Instructions, Section B: Mediation Requests

In row 2, enter the total number of *mediation requests* received between July 1, 2022 and June 30, 2023.

- In row 2.1, enter how many of the *mediation requests* (row 2) resulted in *mediations held* as of the end of the reporting period (June 30, 2023). Row 2.1 is a subset of row 2.
 - In row 2.1(a), enter how many of the *mediations held* were *mediations held related to due process complaints*. Row 2.1(a) is a subset of row 2.1.

- In row 2.1(a)(i), enter how many of the *mediations held related to due process complaints* resulted in *mediation agreements* as of the end of the reporting period (June 30, 2023). Row 2.1(a)(i) is a subset of row 2.1(a).

Note that the difference between the number entered in row 2.1(a) and the number entered in row 2.1(a)(i) is the number of *mediations held related to due process complaints* that did not result in a *mediation agreement*.

- In row 2.1(b), enter how many of the *mediations held* were *mediations held not related to due process complaints*. Row 2.1(b) is a subset of row 2.1.
 - In row 2.1(b)(i), enter how many of the *mediations held not related to due process complaints* resulted in *mediation agreements* as of the end of the reporting period (June 30, 2023). Row 2.1(b)(i) is a subset of row 2.1(b).

Note that the difference between the number entered in row 2.1(b) and the number entered in row 2.1(b)(i) is the number of *mediations held not related to due process complaints* that did not result in a *mediation agreement*.

Note that the sum of 2.1(a) and 2.1(b) must equal the total number of mediations held (row 2.1).

- In row 2.2, enter how many of the *mediation requests* (row 2) were *mediations pending* as of the end of the reporting period (June 30, 2023). Row 2.2 is a subset of row 2.
- In row 2.3, enter how many of the *mediation requests* (row 2) were *mediations not held* as of the end of the reporting period (June 30, 2023). Row 2.3 is a subset of row 2.

Note that the sum of 2.1, 2.2, and 2.3 is the total number of mediations requested (row 2).

Specific Instructions, Section C: Due Process Complaints

In row 3, enter the total number of *due process complaints* filed between July 1, 2022 and June 30, 2023.

- In row 3.1, for States that have adopted the Part B due process hearing procedures, enter how many of the *due process complaints* (row 3) resulted in a *resolution meeting* as of the end of the reporting period (June 30, 2023). Row 3.1 is a subset of row 3.
 - In row 3.1(a), enter how many *resolution meetings* resulted in a *written settlement agreement* as of the end of the reporting period. Row 3.1(a) is a subset of row 3.1 and 3.4.

Note that the difference between the number entered in row 3.1 and the number entered in row 3.1(a) is the number of *resolution meetings* held that did not result in a *written settlement agreement* as of the end of the reporting period (June 30, 2023).

- In row 3.2, enter how many of the *due process complaints* (row 3) resulted in *hearings fully adjudicated* as of the end of the reporting period, that is, the due process hearing was conducted and the hearing officer issued a written decision by June 30, 2023. Row 3.2 is a subset of row 3.

Note that for rows 3.2(a)(1) and 3.2(a)(2), States must apply one timeline for written decisions for due process complaints; this timeline is a 30-day timeline under 34 C.F.R. § 303.437(b) if the State has adopted Part C due process hearing procedures under 34 C.F.R. § 303.430(d)(1), OR a 30- or 45-day timeline under 34 C.F.R. § 303.447(a) if the State has adopted the Part B due process hearing procedures under 34 C.F.R. § 303.430(d)(2). Therefore, States are to enter data in

only one of the following two rows – row 3.2(a)(1) OR row 3.2(a)(2), as appropriate, but not both.

- o In row 3.2(a)(1), for States using Part C due process procedures, enter how many of the written decisions were *decisions within the 30-day timeline*. (Do not include here the decisions within extended timelines.) Row 3.2(a)(1) is a subset of row 3.2.
- o In row 3.2 (a)(2), for States that have adopted Part B due process procedures, enter how many of the written decisions were decisions within the appropriate 30- or 45-day timeline adopted by the State under 34 C.F.R. § 303.447(a) (Do not include here the decisions within appropriately extended timelines.). Row 3.2(a)(2) is a subset of row 3.2.
- o In row 3.2(b), enter how many of the written decisions included in row 3.2 were *decisions within appropriately extended timelines*. (Decision must be within specific time extension granted by the hearing or reviewing officer). Row 3.2(b) is a subset of row 3.2.

Note that the difference between the number in row 3.2 and the sum of the numbers in rows 3.2(a)(1) OR 3.2(a)(2), as applicable, and 3.2(b) is equal to the number of decisions issued beyond the relevant timeline.

- In row 3.3, enter how many of the *due process complaints* (row 3) were *hearings pending* as of the end of the reporting period (June 30, 2023). Row 3.3 is a subset of row 3.
- In row 3.4, enter how many of the *due process complaints* (row 3) were *withdrawn or dismissed* (including resolved without a hearing) as of the end of the reporting period (June 30, 2023). Row 3.4 is a subset of row 3.

Note that the sum of the numbers entered in rows 3.2, 3.3 and 3.4 is equal to the total number of *due process complaints* entered in row 3.

Glossary of Data Elements

Complaint pending – A written, signed complaint that is either still under investigation or the lead agency’s written decision has not been issued.

Complaint pending a due process hearing – A written, signed complaint in which one or more of the allegations in the complaint are the subject of a *due process complaint* that has not been resolved.

Complaint with report issued – A written decision was provided by the lead agency to the complainant regarding alleged violations of a requirement of Part C of IDEA.

Complaint withdrawn or dismissed – A written, signed complaint that was withdrawn by the complainant for any reason or that was determined by the lead agency to be resolved by the complainant and the early intervention service provider or lead agency through mediation or other dispute resolution means and no further action by the lead agency was required to resolve the complaint; or a complaint dismissed by the lead agency for any reason, including that the complaint does not include all of the required content.

Decision within extended timeline - For States using the Part C due process hearing procedures, the written decision from a *hearing fully adjudicated* was provided to the parties in the hearing more than 30 days after the receipt of the *due process complaint*, but within a specific time extension granted by the hearing officer at the request of either party. For States using the Part B due process hearing procedures, a *decision within extended timeline* is the written decision (from a *hearing fully adjudicated*) provided to

the parties in the hearing more than 30 or 45 days (whichever hearing timeline the State has adopted under 34 C.F.R. § 303.447(a)) after the expiration of the *resolution period*, but within a specific time extension granted by the hearing or reviewing officer at the request of either party.

Decision within timeline – For States using the Part C due process hearing procedures, the written decision from a *hearing fully adjudicated* was provided to the parties in the due process hearing not later than 30 days after the receipt of the *due process complaint*. For States using the Part B due process hearing procedures, a *decision within timeline* is the written decision (from a fully adjudicated hearing) provided to the parties in the hearing not later than 30 days or 45 days (whichever hearing timeline the State has adopted under 34 C.F.R. § 303.447(a)) after the expiration of the *resolution period*.

Due process complaint – A filing by a parent, early intervention service provider, or lead agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or placement of an infant or toddler with a disability, or to the provision of appropriate early intervention services to such child.

Due process complaints withdrawn or dismissed – A *due process complaint* that has not resulted in a fully adjudicated due process hearing and is also not under consideration by a hearing officer. This includes *due process complaints* resolved through a *mediation agreement* or through a *written settlement agreement*, those settled by some other agreement between the parties (parent and early intervention service provider or lead agency) prior to completion of the due process hearing, those withdrawn by the filing party, those determined by the hearing officer to be insufficient or without cause, and those not fully adjudicated for other reasons.

Hearing fully adjudicated – A hearing officer conducted a due process hearing, reached a final decision regarding matters of law and fact and issued a written decision to the parties.

Hearing pending – A request for a due process hearing that has not yet been scheduled, is scheduled but has not yet been conducted, or has been conducted but is not yet fully adjudicated. (See definition for *hearing fully adjudicated*).

Mediation agreement – A written legally binding agreement signed by a parent and a representative of the lead agency who has authority to bind the lead agency, that specifies the resolution of any issues in the dispute that were reached through the mediation process. A mediation agreement that fully or partially resolves issues in dispute is included in “*mediation agreements*.”

Mediation held – A process conducted by a qualified and impartial mediator to resolve a disagreement between parties to a dispute involving any matter under Part C of IDEA and that concluded with or without a written *mediation agreement* between the parties.

Mediation held not related to due process complaint – A process conducted by a qualified and impartial mediator to resolve a disagreement between parties to a dispute involving any matter under Part C of IDEA that was not initiated by the filing of a *due process complaint* or did not include issues that were the subject of a *due process complaint*.

Mediation held related to due process complaint – A process conducted by a qualified and impartial mediator to resolve a disagreement between parties that was initiated by the filing of a *due process complaint* or included issues that were the subject of a *due process complaint*.

Mediation not held– A request for mediation that did not result in a mediation being conducted by a qualified and impartial mediator. This includes requests that were withdrawn, requests that were dismissed, requests where one party refused to mediate, and requests that were settled by some agreement other than a *mediation agreement* between the parties.

Mediation pending – A request for mediation that has not yet been scheduled or is scheduled but has not yet been held.

Mediation request – A request by a party to a dispute involving any matter under Part C of IDEA for the parties to meet with a qualified and impartial mediator to resolve the dispute(s).

Report with findings of noncompliance - The written decision provided by the lead agency to the complainant in response to a *written, signed complaint*, which finds the early intervention service provider or lead agency to be out of compliance with one or more requirements of Part C of IDEA or 34 C.F.R. Part 303.

Report within extended timeline – The written decision from the lead agency was provided to the complainant more than 60 days after the *written, signed complaint* was filed, but within an appropriately extended timeline. An appropriately extended timeline is an extension beyond 60 days that was granted due to exceptional circumstances that exist with respect to a particular complaint; or if the parent and the lead agency, public agency or early intervention service provider involved agreed to extend the time to engage in mediation, or to engage in other alternative means of dispute resolution, if available in the State or under State procedures.

Report within timeline – The written decision from the lead agency to the complainant was provided not later than 60 days after receiving the *written, signed complaint*.

Resolution meeting – For States that have adopted Part B due process hearing procedures, a meeting, convened by the local provider or lead agency, between the parent and the relevant member(s) of the IFSP Team to discuss the parent’s *due process complaint* and the facts that form the basis of the *due process complaint* so that the lead agency has the opportunity to resolve the dispute that is the basis for the *due process complaint*.

Resolution period – For States that have adopted Part B due process hearing procedures, 30 days from the receipt of a *due process complaint* unless the period is adjusted because: (1) both parties agree in writing to waive the *resolution meeting*; or (2) after either the mediation or *resolution meeting* starts, but before the end of the 30-day period, the parties agree in writing that no agreement is possible; or (3) if both parties agree in writing to continue the mediation at the end of the 30-day *resolution period*, but later, the parent or local provider or lead agency withdraws from the mediation process.

Written settlement agreement – A legally binding written document, signed by the parent and a representative of the lead agency who has authority to bind the lead agency, specifying the resolution of the dispute that formed the basis for a *due process complaint* arrived at in a *resolution meeting*. For the purposes of reporting on Table 4, a *written settlement agreement* is one that fully resolves all issues of the *due process complaint* and negates the need for a due process hearing.

Written, signed complaint – A signed, written document submitted to a lead agency by an individual or organization (complainant) that alleges a violation of a requirement of Part C of IDEA or 34 C.F.R. Part 303, including cases in which some required content is absent from the document.

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION
AND REHABILITATIVE SERVICES
OFFICE OF SPECIAL EDUCATION
PROGRAMS

TABLE 4

PAGE 1 OF 1

REPORT OF DISPUTE RESOLUTION UNDER PART C OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT
2022-23

OMB NO.: 1820-0678

FORM EXPIRES: xx/xx/xxxx

STATE: _____

SECTION A: Written, Signed Complaints	
(1) Total number of written, signed complaints filed	
(1.1) Complaints with reports issued	
(a) Reports with findings of noncompliance	
(b) Reports within timeline	
(c) Reports within extended timeline	
(1.2) Complaints pending	
(a) Complaints pending a due process hearing	
(1.3) Complaints withdrawn or dismissed	
SECTION B: Mediation Requests	
(2) Total number of mediation requests received	
(2.1) Mediations held	
(a) Mediations held related to due process complaints	
(i) Mediation agreements related to due process complaints	
(b) Mediations held not related to due process complaints	
(i) Mediation agreements not related to due process complaints	
(2.2) Mediations pending	
(2.3) Mediations not held	
SECTION C: Due Process Complaints	
(3) Total number of due process complaints filed (for all States)	
(3.1) Resolution meetings (applicable ONLY for States using Part B due process hearing procedures)	
(a) Written settlement agreements reached through resolution meetings	

(3.2) Hearings fully adjudicated (for all States) –	
(a) Complete EITHER item (1) <u>OR</u> item (2), below, as applicable.	
(1) Decisions within timeline – <u>Part C</u> Procedures	
(2) Decisions within timeline – <u>Part B</u> Procedures	
(b) Decisions within extended timeline	
(3.3) Hearings pending (for all States)	
(3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing) (for all States)	