The Advocacy Institute

A not-for-profit organization dedicated to services and projects that work to improve the lives of children, youth and adults with disabilities

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February 9, 2026

Office of Information and Regulatory Affairs
Office of Management and Budget
1725 17th Street, NW
Washington, DC 20503

RE: Annual State Application Under Part B of the Individuals with Disabilities Education Act, ED–2025–SCC–0481, OMB Control No. 1820–0030

The Advocacy Institute provides the following comments regarding the proposed change to the Annual State Application Under Part B of the Individuals with Disabilities Education Act published in the Federal Register on January 9, 2026.

OSERS proposes to eliminate Section V of the Annual Application. We oppose this change and ask that the proposal be rescinded.

OSERS SHOULD RETAIN SECTION V FOR THE FOLLOWING REASONS:

1. The Office of Special Education Programs relies on states' response to Section V to ensure transparency regarding the implementation of the requirements around significant disproportionality and alert the public when a state is making changes to how it implements the Federal regulations. See https://www.ed.gov/laws-and-policy/students-disabilities-laws-and-policy/osep-monitoring--significant-disproportionality-reporting-under-idea-part-b.

   States must provide a public comment period of at least 30 days for their annual application for IDEA Part B funds, so Section V of the application ensures that stakeholders are made aware of any changes a state is making to its reporting form. Eliminating Section V would remove the only notice of changes to states' implementation of the IDEA's requirements on significant disproportionality.

2. The annual burden hours is extremely overstated. As stated in the Department's response to the 60-day comment notice, "out of sixty (60) reporting States who

receive IDEA funds, fifty-seven (57) have not updated their methodology since the first collection in 2020, the remaining three (3) States updated their methodology only once in 2022." Therefore, it would appear that the burden imposed on states to respond to Section V is **negligible** at best.

Thank you,

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