



### Helpful Links

<http://ed.gov>

<http://idea.ed.gov>

<http://spp-apr-calendar.tadnet.org>



Photos: iStockphoto; Cover © Bonnie Jacobs; flap © Tomasz Markowski; interior, top © Uluk Zivana, right © James Pauls.

To learn more about the IDEA or the SPP/APR process, contact your:

### Determinations/Enforcement

*(continued)*

For States that don't meet requirements, the IDEA identifies specific enforcement actions that the U.S. Department of Education must conduct under specific circumstances. If a State "needs assistance" for two consecutive years, the Department must take one or more enforcement actions, which may include: requiring the State to receive technical assistance; designating the State as a high-risk grantee; or directing the use of State set-aside funds to the area(s) where the State needs assistance; or other appropriate actions. If a State "needs intervention" for three consecutive years, the Department must require a corrective action plan or compliance agreement, or withhold in whole or in part further payments to the State. Any time a State "needs substantial intervention," the Department must take immediate enforcement action, such as withholding funds or referring the matter to the Department's inspector general or to the U.S. Department of Justice.

### State Reporting and Determinations

Each State conducts a similar evaluation process for its local school districts and early intervention programs. States must annually review LEA and EIS program performance against targets in the State's SPP, determine if each LEA and EIS program "meets requirements," "needs assistance," "needs intervention," or "needs substantial intervention" in implementing Parts B and C of the IDEA, and inform each LEA and EIS program of its determination.

States also must report annually to the public on the performance of each LEA and EIS program located in the State on the targets in the State's SPP. The reports must be posted on the SEA and LEA websites.

### A Focus to Improve Results

Focusing on the important indicators in the SPP can help LEAs improve results for children and youth with disabilities. Information on your State's SPP and APR, as well as your LEA's public report, is available on your SEA's website. See the back page to find these resources in your State. ★

State Education Agency (SEA), Part B:

Local Education Agency (LEA), Part B:

Lead Agency (LA) and/or Early Intervention Service (EIS) Program, Part C:

Parent Training Information (PTI) Center:

### LEARNING MORE ABOUT IDEA

# State Performance Plans and Annual Performance Reports



**The Individuals with Disabilities Education Act (IDEA)** is a Federal law that guarantees a free, appropriate public education to each child with a disability throughout the nation. The IDEA governs how states and public agencies provide early intervention, special education, and related services to approximately 7 million eligible infants, toddlers, children, and youth with disabilities. States receive more than \$12 billion in Federal IDEA funds each year to support these services.

### Parts of the IDEA

Infants and toddlers with disabilities (birth–2) and their families receive early intervention services under Part C of the IDEA. Children and youth (ages 3–21) receive special education and related services under Part B of the IDEA. To learn more about the history and specific parts of the IDEA, go to: <http://idea.ed.gov>.

### Oversight of the IDEA

The Office of Special Education Programs (OSEP) at the U.S. Department of Education monitors how Parts B and C of the IDEA are implemented by States. Each State must supervise the implementation of Part B of the IDEA by local educational agencies (LEAs), and of Part C by early intervention services (EIS) programs. OSEP oversees these general supervision activities by each State, and the State's progress in a State Performance Plan which shows its overall efforts in implementing the IDEA.

### State Performance Plan

When the IDEA was reauthorized in 2004, the law was amended to require that each State develop a State Performance Plan (SPP). The SPP helps the State evaluate its efforts in implementing the requirements and purposes of the IDEA, and describes how it will improve its implementation over a period of six years.

For Part B, the SPP includes baseline data, measurable and rigorous targets, and improvement activities for 20 indicators such as graduation rate, dropout rate, participation and performance on assessments, meeting evaluation timelines, and ensuring that complaints and hearings are resolved within required timelines.

For Part C, the SPP includes baseline data, measurable and rigorous targets, and improvement activities for 14 indicators such as ensuring positive outcomes for infants and toddlers with disabilities, timely provision of services, meeting evaluation timelines, and provision of services in natural environments.

### Annual Performance Report

The IDEA also requires each State to report annually to the U.S. Secretary of Education on the progress it has made that year in meeting the measurable and rigorous targets established in its six-year SPP. This is known as the Annual Performance Report (APR).

After reviewing each State's APR and assessing its progress, the Secretary is required to issue an annual determination letter—essentially, a report card—which documents the State's overall progress in meeting the requirements of the IDEA. This annual report card, called a “determination,” is an important tool in helping States in their ongoing efforts to improve education for children with disabilities.

### How Does the SPP/APR Process Improve Education?

The ongoing evaluation of States in their progress in implementing the IDEA has important outcomes for all stakeholders. The SPP/APR process allows:

SEAs, LEAs, and EIS programs to make informed, data-driven decisions, while managing their schools or programs effectively.

**School boards** to make informed, data-driven decisions.

**Parents** to become better informed and more involved in their child's services and education.

**Infants, toddlers, children, and youth** to obtain improved outcomes.

### Determinations/Enforcement

The IDEA specifies four possible options for the Secretary's determination. The Secretary may determine that the State:

1. **Meets the requirements** and purposes of the IDEA;
2. **Needs assistance** in implementing the requirements of the IDEA;
3. **Needs intervention** in implementing the requirements of the IDEA; or
4. **Needs substantial intervention** in implementing the requirements of the IDEA. ▶

