



**The Division for Early Childhood of the Council for
Exceptional Children (DEC)**

September 11, 2009

Re: Comments on Proposed Collection of Information
OMB #1820-0578 IDEA Part C Annual Performance Report (APR)

Office of Information and Regulatory Affairs, Office of Management and Budget
725 17th Street, NW. Room 10222, New Executive Office Building
Washington, DC 20503

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Attention: Education Desk Officer:

These comments are provided on behalf of the Division for Early Childhood of the Council for Exceptional Children (DEC). DEC is a professional membership organization whose mission is to promote policies and advance evidence-based practices that support families and enhance the optimal development of young children who have or are at risk for developmental delays and disabilities. DEC appreciates this opportunity to provide comments on the request for comments on the changes to the State Performance Plan (SPP) and Annual Performance Report (APR) as published in the Federal Register on August 12, 2009.

DEC also provided written comments on proposed changes to the SPP/APR on July 14, 2009 in response to a request for comment in the May 15, 2009 Federal Register. On behalf of our membership, DEC would first like to express our appreciation for the changes in the August 12th draft SPP/APR measurement table. It is evident that our concerns have been considered and a number of our recommendations have been accepted. We are particularly pleased that the language in Indicators 1, 7 and 8 has been modified to allow states to describe the time period in which the data were collected instead of being required to report on data for the entire reporting year.

In addition, DEC appreciates the additional time states are being given to implement the new data collection requirements in Indicators 1, 7, and 8. We must continue to state though that we believe these new data burdens are not necessary and should not be required.

With regard to the proposed changes to the indicators DEC has the following comments:

- **Requirement when states use data from the state database.**
DEC supports the language included in the new proposal and appreciates the Department's response on this important issue. Many state Part C systems have invested significant resources in developing extensive statewide data systems that are valuable components to the state's accountability systems. We recognize each state's

responsibility to ensure data used for monitoring purposes are valid and reliable. We support the language in the current draft requiring states to describe the time period in which the data were collected and how the data accurately reflect data for infants and toddlers with IFSPs for the full reporting period.

- **Indicators 1, 7 and 8 - Additional data required related to reasons for delay.** DEC is strongly opposed to the change to indicator C-1, 7 and 8 requiring states to collect and report on the *reasons for the delay*. Although this information is important to states to determine root causes to ensure correction of noncompliance by local programs, it is not necessary that this information be systematically aggregated and submitted to the federal level. The process a state uses to analyze data related to noncompliance to ensure correction can be reviewed by OSEP as a part of a state's verification visit without adding this additional reporting burden on states, localities and providers.
- **Indicator 7 – DEC** appreciates the decision to maintain current language for this indicator.
- **Indicator 14 – DEC** appreciates that some of the proposed additional language, "...and evidence that these standards are met" has been withdrawn. However, we must restate our concern that the additional requirement proposed to "provide detailed information about the actions the state is taking to ensure compliance. Describe the state's mechanisms for ensuring error-free, consistent, valid and reliable data..." is an unnecessary burden. This information is already included in the SPP. In addition, this information is reviewed and addressed during OSEP's verification visits to states. It is not necessary to include it in the annual APR.

It is extremely difficult for state and local agencies with very limited fiscal and personnel resources to keep pace with all of these changes. These continual data collection changes divert scarce resources, both fiscal and human, from services to children and families. In addition, these changes result in constantly shifting baselines making it difficult to accurately measure progress from year to year and to develop meaningful strategies for improvement. Overtime this could have the effect of jeopardizing the achievement of the overall purpose of the SPP process– to improve results for children and their families.

At this time, DEC urges the Department of Education and OMB to not make any additional changes to the indicators, measurements or instructions related to the SPP/APR process during this SPP cycle. Any necessary changes should be considered for the next six year cycle of the SPP. In this current fiscal climate, states are not in a position to make any additional changes that increase the costs of administering this program.

Please contact us if we can be of any assistance as this package moves forward.

For further information please contact:

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