



# Part B Public Reporting Requirements

## OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

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The IDEA requires states to publicly report three primary types of data: 1) State Performance Plan/Annual Performance Report (SPP/APR); 2) 618 data collections; and 3) Local education agency (LEA) performance on all 14 SPP/APR indicators compared to state targets.

In other words, the IDEA requires states to make three types of information available to the public:

- A report on the performance of the state's IDEA program, called a State Performance Plan/Annual Report (SPP/APR).
- Data about students, aged 3 through 21, who received services under IDEA Part B (special education and related services for children ages 3 years to 21 years of age); often called Section 618 Data.
- A summary of how well education service agencies (ESA) and local education agencies (LEA) are meeting the state performance plan targets.

### State Performance Plan/Annual Performance Report (SPP/APR)

Section 616 of the IDEA requires each state to submit and make available to the public a state SPP/APR with data on how each state implements Part B of the IDEA to improve outcomes for students with disabilities. Each state's SPP/APR must be made available through public means, including posting on the State Education Agency (SEA) website distribution to the media, and distribution to LEAs and ESAs.

In other words, each state must turn in an SPP/APR (a written plan) with data about Part B of the IDEA. This helps improve outcomes for students with disabilities. The SPP/APR for each state must be shared with the public through:

- The SEA website
- The media, such as journalists and news outlets
- LEAs and ESAs



## SPP/APR Indicators

There are 18 items (indicators) in the Part B SPP/APR. These items include the following:

1. **Graduation:** Percent of youth with Individualized Education Programs (IEPs) exiting special education due to graduating with a regular high school diploma.

In other words, the percent of students in special education who leave high school with a regular diploma.

2. **Drop-Out:** Percent of youth with IEPs who exited special education due to dropping out.

In other words, the percent of students in special education who leave high school before they earn enough credits to graduate or get a certificate of completion.

3. **Assessment:** Participation and performance of children with IEPs on statewide assessments:

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and for all students against grade level academic achievement standards.

In other words, the percent of students in special education who A) participate in state academic testing, B) meet grade-level academic standards, and C) meet alternate academic standards. This indicator also measures D) the difference in test scores between students in special education and all students.

4. **Suspension and Expulsion:** Rates of suspension and expulsion: A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the state, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and B. Percent of LEAs that have: A) a significant discrepancy, as defined by the state, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and B) policies, procedures or practices that contribute to the significant discrepancy, as defined by the state, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.



In other words, the percent of LEAs that suspend or expel students in special education from school for 10 or more days at a higher rate than the comparison group. This indicator also measures if LEAs expel students in special education in particular race or ethnicity groups at a higher rate than the comparison group. States select the definitions of these rate differences and what the comparison groups are.

- 5. Educational Environments:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served: A) Inside the regular class 80% or more of the day; B) Inside the regular class less than 40% of the day; and C) In separate schools, residential facilities, or homebound/hospital placements.

In other words, the percent of students in special education, 5 years old in kindergarten and 6–21 years old, who spend A) at least 80% of the day with non-disabled students or B) less than 40% of the day with non-disabled students, or C) in separate schools, residential care, homes, or hospitals.

- 6. Preschool Environments:** Percent of children with IEPs, ages 3, 4, and 5 who are enrolled in a preschool program attending a: A) Regular early childhood program and receiving majority of special education and related services in regular early childhood program; and B) Separate special education class, separate school, or residential facility; C) Receiving special education and related services in the home.

In other words, the number of students in special education aged 3 to 5 (who are not in kindergarten) who get most of their special education services in regular preschool classes, separate special education classes, separate special education schools or programs, or at home.

- 7. Preschoolers Outcomes:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved: A) Positive social-emotional skills (including social relationships); B) Acquisition and use of knowledge and skills (including early language/communication and early literacy); and C) Use of appropriate behaviors to meet their needs.

This indicator includes two summary statements:

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.



In other words, the percent of preschoolers in special education that A) get better at making friends and getting along with others, B) learn new things and show what they know, and C) do things by themselves or ask for help. This is further separated into two categories, the percent of preschoolers who begin the program with developmental delays and make a lot of progress by the time they leave, and the percent of preschoolers who are developing like children their age when they turn six or leave the program.

- 8. Parent Involvement:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

In other words, the percent of parents of students in special education who said that school staff helped them to be involved in improving their child's education.

- 9. Disproportionate Representation:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

In other words, the percent of districts that identify students in special education from each racial or ethnic group are present at a higher rate than the comparison group. States select the definition of this rate difference and what the comparison group is.

- 10. Disproportionate Representation in Specific Disability Categories:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

In other words, the percent of districts that identify students within each disability category from each racial or ethnic group are present at a higher rate than the comparison group. States select the definition of this rate difference and what the comparison group is.

- 11. Child Find:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the state establishes a timeframe within which the evaluation must be conducted, within that timeframe.

In other words, the percent of children who had their first evaluation "on schedule" for special education eligibility. To be "on schedule," evaluations must be completed within 60 days of parents giving consent or within a timeframe the state chooses.



- 12. Early Childhood Transition:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

In other words, the percent of children that a Part C program referred to a Part B program AND who were found eligible for special education services AND had an Individual Education Program (IEP) in place by the time they turned 3 years of age.

- 13. Secondary Transition:** Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, preemployment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

In other words, the percent of students in special education age 16 and older who have in their IEP transition goals, IEP goals, services, and classes that match what they will need to succeed in the future after high school. The goals must be based on appropriate assessments and updated each year. This indicator requires students with transition goals to be invited to IEP meetings when transition services are discussed. It also requires people from agencies that will provide or pay for the transition services to be invited to IEP meetings when transition services are discussed with prior consent of the parent.

- 14. Post-School Outcomes:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: A) Enrolled in higher education within one year of leaving high school. B) Enrolled in higher education or competitively employed within one year of leaving high school. C) Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

In other words, this indicator measures if, within one year of leaving high school, students who had IEPs when they left high school are: A) enrolled in college, B) enrolled in a college or work jobs where they earn competitive wages, C) enrolled in a college or



are participating in some type of education or job training or work jobs where they earn competitive wages.

- 15. Resolution Sessions:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

In other words, the percent of requests for a hearing that the state determined were successfully resolved through a resolution settlement agreement.

A ‘hearing’ is a formal legal process led by a hearing officer. A hearing officer considers the information provided by each side, may question witnesses, and makes a decision about the dispute. The hearing officer must be fair and understand Part B of the IDEA. A ‘settlement agreement’ is a written document that states how the dispute was resolved. A dispute may be between family members, or other parties (for example, disabilities advocates) and either the SEA or an LEA.

- 16. Mediation:** Percent of mediations held resulting in mediation agreements.

In other words, this indicator measures how many efforts to reach agreement through compromise were successful.

Mediations are meetings to resolve disagreements with family members, or other parties (for example, disabilities advocates) and either the SEA or an LEA. A mediator is someone who helps resolve these disagreements. Mediators encourage parties to talk to one another about their conflict. They do not take sides or decide who is right or wrong. Their goal is to understand both points of view and find a solution that is fair and acceptable to everyone.

- 17. State Systemic Improvement Plan (SSIP):** SPP/APR includes comprehensive, ambitious, yet achievable multi-year SSIP, with stakeholder engagement in all phases, for improving results for children with disabilities. The focus of improvement is described in a State-identified Measurable Result (SiMR)

In other words, each state will need to have a formal plan that clearly shows how the state will carry out activities to improve a specific outcome for students with disabilities, like graduation, math or reading outcomes, or preschool social emotional outcomes.

- 18. General Supervision:** Percent of findings of noncompliance corrected within one year of identification.

In other words, states have to count all the errors that LEAs made according to IDEA. Then the state determines the percent of errors that the state verified were corrected within one year of when each error was found. States find these errors when they check to see if LEAs are following IDEA rules, when they study data in their IEP systems, when



they investigate complaints, when they do financial audits of IDEA funds, and in other ways.

## References

- [U.S Department of Education, Office of Special Education SPP/APR Website](#)
- [Code of Federal Regulation 34 section 303.701](#)

## 618 Data Collections

Section 618 of the IDEA requires each state to submit to the Secretary of Education at the US Department of Education and publicly report data about students who receive special education services under Part B of the IDEA.

In other words, every state must share information about students that receive special services required by the Part B of the IDEA.

There are seven different types of information collected:

### 1. Child Count and Educational Environment

- a. **Children with Disabilities (IDEA) School Age File (FS002):** The unduplicated number of children with disabilities (IDEA) who are ages 5 (in kindergarten) through 21 and receiving special education and related services according to an individualized education program (IEP) or a services plan in place on the state's child count date.

In other words, the total number of students aged 5 (in kindergarten) through 21 who had an IEP (or a service plan) on the date the state collects the count. The information is reported by student's educational environment, disability category, sex, age, race, and English learner status in the collection.

- b. **Children with Disabilities (IDEA) Early Childhood File (FS089):** The unduplicated number of children with disabilities (IDEA) who are ages 3 through 5 and not in kindergarten and receiving special education and related services according to an individualized education program (IEP), an individualized family service plan (IFSP), or a services plan in place on the state's child count date.

In other words, the total number of students aged 3 through 5 (not in kindergarten) who had an IEP (or a service plan) on the date the state collects the count. The information is reported by student's educational environment, disability category, sex, age, race, and English learner status.





## 2. Personnel

- a. **Special Education Teachers (FTE) (FS070)** - The number of full-time equivalent (FTE) special education teachers employed or contracted to work with children with disabilities (IDEA) who were aged 3 through 21.

In other words, states report the percentage of their work week that special education teachers work with students with disabilities. Information is reported by the students' age groups and the teachers' qualification status.

- b. **Special Education Related Services Personnel (FS099)** - The number of full-time equivalent (FTE) related services personnel employed or contracted to provide related services for children with disabilities (IDEA) who were ages 3 through 21.

In other words, states report the percentage of their work week that related service providers work with students with disabilities. Information is reported by the type of staff each provider is (for example, an occupational therapist) and their qualification status.

- c. **Special Education Paraprofessional (FS112)** - The number of full-time equivalent (FTE) paraprofessionals employed or contracted to work with children with disabilities (IDEA) who were ages 3 through 21.

In other words, states report the percentage of their work week that paraprofessionals work with students with disabilities. The information is reported by the students' age groups and the paraprofessionals' qualification status.

## 3. Exiting

- a. **Children with Disabilities (IDEA) Exiting Special Education** - "The unduplicated number of students with disabilities (IDEA) who are ages 14 through 21, were in special education at the start of the reporting period and were not in special education at the end of the reporting period."

In other words, the number of students with disabilities, ages 14 through 21, who left special education each year and why.

## 4. Discipline

- a. **Children with Disabilities (IDEA) Removal to Interim Alternative Educational Setting** - The number of children with disabilities (IDEA) who are ages 3 through 21 as of the child count date and removed to an interim alternative educational setting either unilaterally by school personnel (not the IEP team) or by a hearing officer.





In other words, the number of students with disabilities, ages 3 to 21, who were temporarily placed in a different setting than where they usually attend school. The count only applies when the student's IEP team did not make the decision about the removal.

- b. **Children with Disabilities (IDEA) Suspensions/Expulsions** - The number of children with disabilities (IDEA) who are ages 3 through 21 and suspended or expelled for disciplinary reasons.

In other words, the number of students with disabilities, ages 3 to 21, who were suspended or expelled. States also report whether the suspension was in-school or out-of-school and whether it lasted more than 10 days or whether it lasted 10 days or fewer.

- c. **Children with Disabilities (IDEA) Reasons for Unilateral Removal** - The number of times children with disabilities (IDEA) who were ages 3 through 21 and unilaterally removed by school personnel (not the IEP team) from their current educational placement to an interim alternative educational setting (determined by the IEP team) due to drug or weapon offenses or serious bodily injury.

In other words, this collection is an event count. It counts the number of times students with disabilities, ages 3 to 21, were temporarily placed in a different setting than where they usually attend school. The count only applies when the student's IEP team did not make the decision about the removal.

- d. **Children with Disabilities (IDEA) Disciplinary Removals** - The unduplicated number of children with disabilities (IDEA) who are ages 3 through 21 who were subject to any kind of disciplinary removal during the school year.

In other words, the number of students with disabilities, ages 3 to 21, who were removed for any disciplinary reason from the setting(s) documented in their IEP.

- e. **Children with Disabilities (IDEA) Total Disciplinary Removals** - The number of times children with disabilities (IDEA) who were ages 3 through 21 and subject to any kind of disciplinary removal.

In other words, this collection is an event count: it counts the number of students with disabilities, ages 3 to 21, who were removed for any disciplinary reason from the setting(s) documented in their IEP.

- f. **Educational Services During Expulsion** - The unduplicated number of children (students) who were removed for disciplinary reasons from their regular school program for the



remainder of the school year or longer, including all removals resulting from violations of the Gun-Free Schools Act (GFSA) of 1994.

In other words, the number of children, with and without disabilities, who were removed from their usual school for the rest of the school year. States also report if students in this count are students with a disability.

## 5. Assessment

Assessment data for students with disabilities is a subset in the assessment data files for all students.

### a. Academic Achievement in Mathematics

- i. The unduplicated number of students in grades 3 through 8 who completed the state assessment(s) in mathematics and received a valid score.
- ii. The unduplicated number of high school students who completed the state assessment(s) in mathematics and received a valid score.

In other words, the number of children, with and without disabilities, who took the state test in math and got a valid score. States also report if students scored at a proficient level and if students are students with a disability.

### b. Academic Achievement in Reading/Language Arts

- i. The unduplicated number of students in grades 3 through 8 who completed the state assessment(s) in reading/language and received a valid score.
- ii. The unduplicated number of high school students who completed the state assessment(s) in reading/language arts and received a valid score.

In other words, the number of children in grades 3-8, and separately those in high school, who took the state test in reading and got a valid score. States also report, among other information, if students scored at a proficient level and if students are students with a disability.

### c. Assessment Participation in Mathematics

- i. The unduplicated number of students who were enrolled in grades 3 through 8 during the period of the state assessment(s) in mathematics.
- ii. The unduplicated number of high school students who were expected to participate in an end-of-grade or end-of-course assessment during the period of the state assessment(s) in mathematics.

In other words, the number of children in grades 3-8 and separately those in high school, who were enrolled during state math assessment(s). States also report, among other



information, if students participated in the math assessment and if students are students with a disability.

d. **Assessment Participation in Reading/Language Arts**

- i. The unduplicated number of students who were enrolled in grades 3 through 8 during the period of the state assessment(s) in reading/language arts.
- ii. The unduplicated number of high school students who were expected to participate in an end-of-grade or end-of-course assessment during the period of the state assessment(s) in reading/language arts.

In other words, the number of children in grades 3-8, and separately those in high school, who were enrolled during state math assessment(s). States also report, among other information, if students participated in the reading assessment and if they are students with a disability.

**6. Maintenance of Effort (MOE) Reduction and Coordinated Early Intervening Services (CEIS)**

This collection provides the following information for every local education agency (LEA) or educational service agency (ESA) that receives special education funding under Part B of the IDEA:

- **LEA/ESA Allocations** - includes the IDEA 611 allocation amounts for each LEA/ESA in the State for the reference Federal fiscal year and the previous Federal fiscal year and the IDEA 619 allocation amounts for the reference Federal fiscal year.

In other words, the amount of IDEA funding each school district received for school age special education and preschool special education. States report the school district amounts from two years prior to the reporting year and three years prior to the reporting year.

- **Maintenance of Effort (MOE) Reduction** - includes the determination under the 34 CFR § 300.600(a)(2) for each LEA/ESA; how much the LEA/ESA reduced local and/or State funds taken under Section 613(a)(2)(C) for the reference school year; whether LEAs/ESAs met the MOE compliance standard; and whether funds were returned to the Department of Education for failure to meet MOE compliance standard.

In other words, how each district was rated on its annual IDEA performance determination. The allowable district ratings are: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. The state also reports the reduction in local or state funds each district used for special education compared to the previous year. Finally, the state must report if each district met the state and local



funding standard and if IDEA funds had to be returned to the Department of Education if the funding standard wasn't met.

- **Provision of Coordinated Early Intervening Services (CEIS)** – includes whether each LEA/ESA was required to reserve funds for comprehensive CEIS (CCEIS) due to significant disproportionality during the reference school year, and whether each LEA/ESA voluntarily reserved for funds for CEIS. For each LEA/ESA that reserved funds for CCEIS or CEIS, the dollar amount that was reserved during the reference school year must be reported. Additionally, for each LEA/ESA that reserved funds for CCEIS due to significant disproportionality, the reason for which the LEA/ESA was identified for significant disproportionality must be reported.

In other words, if a school district has a greater than expected number of students with disabilities in a particular race or ethnicity group in one of these ways:

- Identifying a greater than expected number of students in a particular race or ethnicity group as having a disability in one or more disability categories
- Placing a greater than expected number of students with disabilities in a particular race or ethnicity group in educational settings different from general education
- Applying greater than expected number of disciplinary actions to students with disabilities in a particular race or ethnicity group

This collection also requires states to report if school districts must reserve funds for Comprehensive Coordinated Early Intervening Services (CCEIS) because they had a greater than expected number of students with disabilities in a particular race or ethnicity group in one of the categories above. If reserving funds is required, the state must report under which category or categories the school district was identified and how much funding was reserved.

School districts can also voluntarily set aside IDEA funds for Coordinated Early Intervening Services (CEIS), even if they don't have a greater than expected number of students with disabilities in a particular race or ethnicity group in one of the categories above. If they do set aside funds for this reason, the amount also has to be reported in this data collection.

- **Number of Children Receiving CEIS** - includes the number of children who received CEIS during the reference school year and the number of children who received CEIS at any time during the reference school year and the two preceding school years and received special education and related services during the reference school year.



In other words, the number of students who received CEIS two years prior to the reporting year. States also report the number of students who received CEIS *and* special education as well as related services two, three, and four years prior to the reporting year.

## 7. Dispute Resolution

This collection provides the following information on each state's dispute resolution system:

- **Written, signed complaints**, which are defined as a signed, written document submitted to the state education agency (SEA) by an individual or organization (complainant) that alleges a violation of a requirement of Part B of IDEA of 34 CFR Part 300, including cases in which some required content is absent from the document.

In other words, the number of written complaints filed with the state in the most recent school year, related to a suspected violation of IDEA Part B. The state also reports the number of written decisions they issued for those complaints, whether they were made in a timely manner, the state's decision after investigating the complaint, and the number of complaints that were withdrawn or dismissed.

- **Mediation requests**, which are defined as a request by a party to a dispute involving any matter under Part B of IDEA for the parties to meet with a qualified and impartial mediator to resolve the dispute(s)

In other words, the number of mediation requests from the most recent school year, the number of mediation meetings held, how many were related to a due process complaint, and how many resulted in an agreement. A mediation is a meeting with a trained individual who helps parties to reach a mutual decision and to resolve their differences.

- **Due process complaints**, which are defined as a filing by a parent or public agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of a free appropriate public education to the child.

In other words, the number of legal due process complaints that were filed with the state in the most recent school year. Due process complaints are about the provision of a free appropriate public education, and can include identification, evaluation, educational placement or provision of services. Due process complaints are addressed in impartial hearings that are typically led by an individual trained in the IDEA. Expedited due process complaints (described in the next section) are included in this count and also counted separately.



States also report the number of:

- resolution meetings were held,
  - resolution meetings which resulted in a written decision,
  - written decisions made in a timely manner, and
  - due process complaints that were withdrawn or dismissed.
- **Expedited due process complaints**, which are defined as due process complaints filed by:  
(1) the parent of a child with a disability (IDEA) who disagrees with any decision regarding the manifestation determination and/or disciplinary removal of a student from an educational placement and the placement of that student in an interim alternative educational setting; or  
(2) a local educational agency that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others

In other words, the number of expedited due process complaints that were filed in the most recent school year. These complaints can be made by parents on behalf of their student with a disability when they disagree with the LEA's decision about discipline decisions made by the school. This includes placement of the student in a temporary alternative educational setting. LEAs can also file an expedited due process complaint if they believe that keeping the student in the classroom could result in injury to themselves or others.

States report:

- the number of meetings held to address the expedited due process complaints,
- the number of meetings that resulted in settlement agreements,
- if the complaints were addressed in a timely manner,
- if placing the student in a temporary alternative educational setting was supported in the settlement agreement, and
- how many expedited due process complaints were withdrawn or dismissed.

## Local Program Performance and Annual Determinations

State education agencies report annually about the performance of each LEA compared to the indicator targets in the state's performance plan. The performance of each LEA must be reported to the public no later than 120 days following the submission of its SPP/APR to the U.S. Secretary of Education. Each state must make these reports available in the following ways:

- Posting on the website of the SEA



- Distribution to the media
- Distribution to LEAs

States then use some or all of the indicators and other factors they deem important to make annual determinations of each LEAs performance level. States must rate each LEA in one of the following categories:

- Meets Requirements
- Needs Assistance
- Needs Intervention
- Needs Substantial Intervention

In other words, states design their annual LEA determination process using a combination of elements required by IDEA and state-specific elements. They define criteria to assess LEAs' performance based on the indicators and assign each LEA a rating: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. For LEAs that are assigned a rating other than Meets Requirements, states outline how they will help those LEAs improve their implementation of the IDEA.

#### **References:**

- [IDEA Section 618 Data Products: Collection Documents](#)
- [Individuals With Disabilities Education Act Section 1435, Requirements for Statewide System, 20 U.S.C. 2014](#)
- [Individuals With Disabilities Education Act Section 1418\(a\)\(1\)\(2\), Requirements for a statewide system: 20 U.S.C. 2014](#)
- [State Monitoring and Enforcement. 34 CFR 303.700. 2022](#)
- [State Use of Targets and Reporting. 34 CFR 303.702. 2022](#)