



*National Association of State Directors of Special Education, Inc.*

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September 11, 2009

Re: Comments on Proposed Collection of Information  
IDEA Part C State Performance Plan (SPP) and Annual Performance Report  
(APR)  
Collection Number 4033

Office of Information and Regulatory Affairs  
Attention: Education Desk Officer  
Office of Management and Budget

[Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov)

[ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov)

Dear Education Desk Officer:

The National Association of State Directors of Special Education (NASDSE), which represents the directors of special education in the states, the District of Columbia, the Bureau of Indian Education, the Department of Defense Education Agency, the Federal territories and the Freely Associated States, appreciates this opportunity to provide comments in response to the above-referenced data collection.

In July 2009, NASDSE submitted comments on proposed changes to the Annual Performance Report that the Department of Education's Office of Special Education Programs (OSEP) had submitted for the Part C indicators. We have also submitted comments regarding proposed changes to the Part B State Performance Plan (SPP) and Annual Performance Report (APR) and its indicators over the course of the last year and a half. NASDSE has repeatedly urged OMB and OSEP not to move forward with changes to either the Part B or the Part C indicators. We recognize that OSEP has rejected our pleas, yet we repeat the same concerns here today with the same, perhaps even greater sense of urgency.

1. The proposed changes are costly – both in terms of the systems changes to state and local IT systems and in terms of personnel training. States face overwhelming financial hardships. The ARRA funds are significant; yet they can only address a small portion of the severe financial hardship that states face with respect to personnel. Nearly half of the states are imposing layoffs and/or mandatory unpaid leave days putting a severe strain on remaining personnel.

Furthermore, state education agencies have taken on increased workloads with the monitoring and oversight responsibilities added by the accountability requirements of the ARRA. And while the proposed guidance would give SEAs some additional administrative funds to administer the ARRA, NASDSE has heard directly from many states that

the proposed guidance has simply come too late for them to make any changes in the allocations to LEAs; thus leaving them with no additional administrative funds at the state level to manage the ARRA monitoring. Thus, their reduced staff is focused on ARRA monitoring, leaving them even less time to focus on making these proposed changes to the indicators and conducting the necessary training required to implement them.

2. OSEP has repeatedly made changes to the indicators since they were first introduced with the reauthorization of IDEA in 2004. The State Performance Plan (SPP) and its indicators are on a six-year cycle, which will soon be up for renewal and we see no reason why these proposed changes are so urgent that they cannot be postponed until the SPP can be looked at as a whole when the next six-year cycle comes up for renewal in 2010-11.
3. Local governments are facing the same fiscal crisis that the states are facing. Local agencies are laying off staff and simply lack the financial resources to undertake costly changes at this time.

The influx of funding available through the ARRA under Part C needs to go towards the provision of services and training of providers – both of which have been hampered by cuts in federal funding for the Part C program over the past few years.

Therefore, for all of the above reasons, NASDSE's request that OSEP not go forward with these proposed data changes to the Part C indicators at this time could not be more urgent.

NASDSE therefore urges that these proposed changes be put on hold until such time as states are required to submit new state performance plans and that OSEP bring together a group of stakeholders to discuss proposed changes to the indicators before putting them out for comment.

NASDSE thanks you again for this opportunity to comment. Please feel free to contact me at (703) 519-3800, ext. 322 or at [bill.east@nasdse.org](mailto:bill.east@nasdse.org) or NASDSE's director of government relations, Nancy Reder at (703) 519-3800, ext. 334 or at [nancy.reder@nasdse.org](mailto:nancy.reder@nasdse.org) if you have any questions regarding these comments.

Sincerely,



Bill East, Ed.D.  
Executive Director

Cc: Alexa Posny  
Patty Guard  
Ruth Ryder  
Larry Wexler