



# APRIL NATIONAL TA CALL

## GEPA SECTION 427 AND SUBGRANTING FFY 2021 SPP/APR CLARIFICATION

APRIL 13, 2023

# GEPA section 427 and Subgranting

## Presenters:

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# GEPA section 427 and Subgranting

- ▶ G. Corr Email- March 27 – Additional Guidance/GEPA section 427
- ▶ SEAs and LAs must ensure:
  - subgrantees that submit applications to the State for funds under an applicable ED program submit a description sufficient to meet GEPA section 427.
  - subgrantees are complying with GEPA section 427 when subgrantees submit a **new** application after February 24, 2023 (as noted in OSEP IDEA Part B Grant Memo 23-02 and OSEP IDEA Part C Grant Memo 23-03).
- ▶ States have flexibility to determine form and content of GEPA section 427 description, as long as it meets statutory requirements.

# GEPA section 427 and Subgranting

## ► Three options:

1. Require subgrantees to use and submit the new updated GEPA section 427 form that the State grantee is required to submit to the Department;
2. Require subgrantees to use and submit their previously approved GEPA section 427 description (this requires a submission with this year's subgranting application and the previously approved form does not expire for purposes of the subgrantee form) (previous GEPA-Requirement) **or**
3. Allow the subgrantee to submit its own description or a form that is sufficient to meet the requirements of GEPA section 427

# GEPA section 427 and Subgranting

- ▶ State **has the option** of not using the new GEPA section 427 form for their subgrantee applications submitted for this year.
- States may want subgrantees to use new GEPA section 427 form in *future* years to ensure that barriers, strategies and timelines listed in State GEPA form are addressed at the local level.
- SEAs and LAs may wish to wait until *next year's* subgranting application to roll out the new GEPA section form and require subgrantees to submit with this year's application a description that meets the previously approved GEPA section 427 form.

# GEPA section 427 and Subgranting

Questions?

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# FFY 2021 SPP/APR CLARIFICATION

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# Agenda

- ▶ Overview of SPP/APR Clarification Period
- ▶ Clarification Logistics, Tips, & Reminders
- ▶ FFY 2021 OSEP Responses
  - Additional explanation/clarification required
  - Indicator B4



# Clarification Period



## Part C

- ▶ Tuesday, April 11 through Tuesday, April 25

## Part B

- ▶ Thursday, April 13 through Thursday, April 27

Email notification sent to indicate that clarification has started.

# Review OSEP Responses



Carefully  
review all  
OSEP  
response  
language

Questions or  
Concerns?  
Contact your  
State Lead to  
schedule a call



Prepare  
your  
questions in  
advance

Invite your  
team  
and/or TA  
Providers



# Dispute Resolution Data

## Updated dispute resolution data

- ▶ If you intend to resubmit updated data, please discuss in the narrative
- ▶ Please ensure it is resubmitted during the resubmission period in May
- ▶ Updated attachment will be uploaded in EMAPs

# Part B Reminders

Assessment - States that resubmitted data will see that data populated during clarification

- OSEP cannot see it in the system until the clarification period

Entering data in integer-only fields

- Only include numbers in specified fields (no letters)

# Clarification Change Form



Describe all revisions made in your resubmission, including details around data changes and newly uploaded 508 Compliance Reports



Changes must be identified by Indicator



Clarification Change Form naming convention: “Part C clarification changes\_2021\_StateName”



The completed form must be uploaded as an attachment to the Introduction page

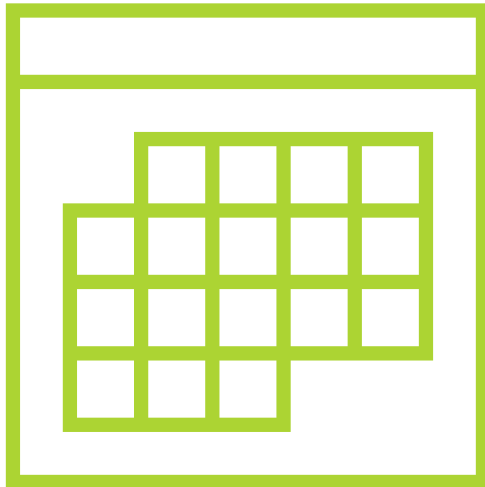
# Clarification Change Form Example

Indicator	Description of Change
2	Revised baseline and FFY 2025 targets
11	Revised language regarding correction of noncompliance
17	Link to Theory of Action added

# Resubmissions

## Resubmission Due Dates

- ▶ Part C – April 25th
- ▶ Part B – April 27th



## Clarification Changes Forms

Part C

Part B



# FFY 2021 OSEP PRE-CLARIFICATION RESPONSES



# Part C ICC Forms

**ANNUAL REPORT CERTIFICATION OF THE  
INTERAGENCY COORDINATING COUNCIL  
UNDER PART C OF THE  
INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

Under IDEA Section 641(e)(1)(D) and 34 C.F.R. § 303.604(c), the Interagency Coordinating Council (ICC) of each jurisdiction that receives funds under Part C of the IDEA must prepare and submit to the Secretary of the U.S. Department of Education (Department) and to the Governor of its jurisdiction an annual report on the status of the early intervention programs for infants and toddlers with disabilities and their families operated within the State. The ICC may either: (1) prepare and submit its own annual report to the Department and the Governor, or (2) provide this certification with the State lead agency's State Performance Plan/Annual Performance Report (SPP/APR)<sup>1</sup> under Part C of the IDEA. The certification (including the SPP/APR) is due no later than February 1, 2023. *This needs to be 2023, not 2022*

On behalf of the ICC of the State/jurisdiction of \_\_\_\_\_,  
I hereby certify that the ICC is: [please check one]

1. ☐ Submitting its own annual report (which is attached); or

2. ☐ Using the State's Part C SPP/APR for FFY 2021 in lieu of its own annual report. By completing this certification, the ICC confirms that it has reviewed the State's Part C SPP/APR for accuracy and completeness.<sup>2</sup> *This needs to be FFY 2021, not FFY 2020*

I hereby further confirm that a copy of this Annual Report Certification and the annual report or SPP/APR has been provided to our Governor.

Signature of ICC Chairperson \_\_\_\_\_ Date \_\_\_\_\_

Address or email \_\_\_\_\_

Daytime telephone number \_\_\_\_\_

1 Under IDEA Sections 619(b)(2)(C)(i)(II) and 642 and under 2 C.F.R. § 200.329, the lead agency's SPP/APR must report on the State's performance under its SPP/APR and contain information about the activities and accomplishments of the grant period for a particular Federal fiscal year (FFY).

2 If the ICC is using the State's Part C SPP/APR and it disagrees with data or other information presented in the State's Part C SPP/APR, the ICC must attach to this certification an explanation of the ICC's disagreement and submit the certification and explanation no later than February 1, 2023. *This needs to be 2023, not 2022*

Three dates potentially incorrect:

- ▶ In the first paragraph, last sentence, the date should be February 1, 2023
- ▶ In the second statement option, the FFY should be FFY 2021
- ▶ In the second footer, last sentence, the date should be February 1, 2023

# OSEP Reviews

Requires additional explanation/clarification

C3, B7

## **EARLY CHILDHOOD OUTCOMES**

- Number assessed compared to SS2 denominators

C1, C7,  
C8 a, b, c

## **REASONS FOR DELAY**

- Exceptional Family Circumstances and “other” reasons

C11, B17

## **SSIP**

- Subset of the population from the indicator

Requires additional explanation/clarification

Intro,  
SSIP

## **STAKEHOLDER ENGAGEMENT**

- Building capacity vs increasing numbers, sharing information

C4, B8,  
B14

## **RESPONSE RATE & REPRESENTATIVENESS**

- Strategies to increase response rate in under-represented populations
- Representativeness vs non-response bias

C3, C4,  
B7, B8, B14

## **SAMPLING PLANS**

- Status of review, feedback, and revisions

# Indicator 4A/4B

- ▶ What's New?
- ▶ What to Expect
- ▶ Accessing Support



# Indicator B4A/B4B: What's New

## Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions (July 19, 2022)

- ▶ October, 2022  
National TA Call
- ▶ FFY 2021 SPP/APR  
Instructions

**Question L-6:** Must a State's chosen methodology for determining significant discrepancies in the rate of long-term suspensions and expulsions of children with disabilities under 34 C.F.R. § 300.170 be reasonable?

**Answer:** Yes. As noted above, the State must ensure that disaggregated data is examined to determine if significant discrepancies in the rates of long-term suspensions and expulsions of children with disabilities are occurring either:

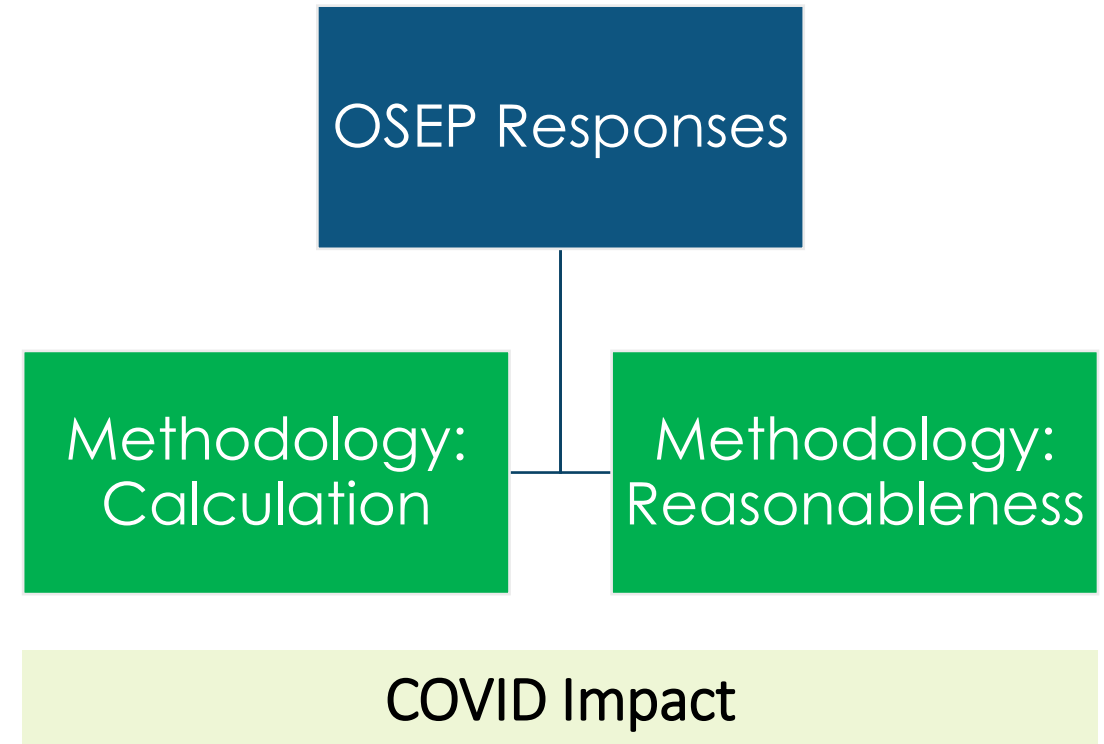
among LEAs in the State; or  
compared to the rates for nondisabled children within those LEAs.  
20 U.S.C. § 1412(a)(22).

If this examination is not occurring in any meaningful way at the LEA level, OSEP may determine that a State's chosen methodology is not reasonably designed to meet this requirement.

Factors that OSEP may consider in determining reasonableness of the State's methodology include whether none, or a very low percentage of, the State's LEAs are being examined for significant discrepancy under the State's chosen methodology, and whether statistically sound alternative methodologies exist or are being used by similarly-situated States.

# Indicator B4A/B4B: What to Expect

- ▶ Nearly every State received an OSEP response
- ▶ Opportunity to review and reconsider how significant discrepancies are examined



# Indicator B4A/B4B: What to Expect (cont.)

## Examples of Responses Addressing Methodology: Calculation

- ▶ Not using one of the two required comparison methods
- ▶ Not directly addressing race/ethnicity in 4B
- ▶ Using different thresholds for each race/ethnicity
- ▶ Data / narrative inconsistencies

## Examples of Responses Addressing Methodology: Reasonableness

- ▶ Not providing relevant information needed to fully understand methodology
- ▶ Including none or a very small percentage of LEAs within analysis
- ▶ Using a higher threshold to show whether significant discrepancies are occurring, when compared to other states

# Indicator B4A/B4B: Accessing Support

- ▶ OSEP Responses: During clarification and after determinations
- ▶ Clarification call with OSEP State Lead
  - Please notify OSEP State Lead if Indicator B4 is a topic you would like to discuss in-depth, prior to the clarification call.
- ▶ Ongoing OSEP Support



# Resources and Support

## ► Technical Assistance Centers:

- Early Childhood Technical Assistance Center (ECTA)
- The Center for IDEA Early Childhood Data Systems (DaSy)
- IDEA Data Center (IDC)
- National Center for Systemic Improvement (NCSI)



# Resources and Support

  
DASHBOARD

  
REPORTS

  
HELP



  
EDFacts Metadata and Process System

## ED Help Page



## IDEA Part B SPP/APR FFY 2021-22



Resources



Getting Started



FAQ



ED Users



Contact Support

### CONTACT PSC

Telephone: 1-877-457-3336 (877-HLP-EDEN)

Fax: 1-888-329-3336 (888-FAX-EDEN)

Federal Relay Service: 800-877-0996 (Voice/TTY) / [federalrelay@sprint.com](mailto:federalrelay@sprint.com)

Email: [edfacts@ed.gov](mailto:edfacts@ed.gov)

Website: [SPP/APR Community](#)



## OSEP MISSION:

To lead the nation's efforts to improve outcomes for children with disabilities, birth through 21, and their families, ensuring access to fair, equitable, and high-quality education and services.

## OSEP VISION:

A world in which individuals with disabilities have unlimited opportunities to learn and to lead purposeful and fulfilling lives.

*Thank you!*