

## 2022 Public Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0550. Public reporting burden for this collection of information is estimated to average 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit under IDEA Part C (20 U.S.C. 1400, et seq.). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact Jennifer Simpson at [jennifer.simpson@ed.gov](mailto:jennifer.simpson@ed.gov)/(202) 245-6042 directly.

### ANNUAL STATE APPLICATION UNDER PART C OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED IN 2004, AND THE 2011 IDEA PART C REGULATIONS

#### INSTRUCTION SHEET<sup>1</sup>

##### Section I

###### A. Submission Statement for Part C in IDEA

When completing this section:

- Select and check the appropriate submission statement(s) the State is using for this Federal Fiscal Year (FFY). The third statement is optional and should only be checked if the State chooses to submit policies and procedures to OSEP for review under one or more of the conditions specified in the statement. Possible combinations of 'checked' statements are as follows: 1; 2; 1 and 3; or 2 and 3.

###### B. Conditional Approval for FFY 2021 Year

Section I.B is to be completed only if the State received **conditional approval** for the FFY 2021 grant year.

When completing this section:

- Check only one of the statements provided under 1 and/or 2.
- The State must follow the directions found in the parenthetical phrases if 1a, 2b, or 2c is checked.

##### Section II

###### A. State Policies, Procedures and Descriptions

When completing this section:

- Read each statement (Policies and Procedures; Descriptions).<sup>2</sup>
- Enter, in the cells found to the left of the statements, either a **check** in **one** of the cells labeled **N** (for new policies, procedures or descriptions), **R** (for revised policies, procedures or descriptions), or **OF** (for "on file" with OSEP) found in the '**yes**' column or a **date** in the cell found in the '**no**' column. If the cell labeled N or R is checked, the State must submit those policies, procedures or descriptions with the FFY 2022 application. The date in the 'no' column is the date by which the State will submit to OSEP required documentation and which date can be no later than June 30, 2023. At least one cell must be completed beside each statement.
- Enter 'NA' in the cells to the left of the Optional Policies, Procedures or Descriptions if the provision is not applicable to your State.

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<sup>1</sup> Grayed out cells indicate that a response in that cell is not possible.

<sup>2</sup> The Part C Grant Checklists are located at <https://sites.ed.gov/idea/grantees/#Grants>. These checklists are made available to States to provide information to support revisions of policies and procedures under Section II.A of the Part C grant application.

B. Assurances and Optional Assurance

When completing this section:

- Read each assurance.
- Enter, in the cells found to the left of the assurance, either a check in the cell found in the 'yes' column or a date in the cell found in the 'no' column. The date in the 'no' column is the date by which the State will complete changes in order to provide the assurance and which date can be no later than June 30, 2023. At least one cell must be completed beside each assurance.
- Enter 'NA' in the cells to the left of the Optional Assurance if this assurance is not applicable.

C. Certifications

When completing this section:

- Read each certification statement and place a check in the cells labeled 'yes.'
- The State must be able to certify financial responsibility consistent with 34 CFR §303.202.

D. Statement

To complete the assurance and certification statement:

- Enter the name of the State and official name of the State Agency in the appropriate blanks.
- Print the name and title of the authorized representative of the State.
- Sign the signature block.
- Enter the date the assurance and certification statement was signed.

### **Section III**

Each State's Application must include a description of how a State proposes to use its funds under Part C. The description must include information for the lead agency and the State Interagency Coordinating Council (SICC) and indicate whether it is for the lead agency or SICC. States with a fully approved FFY 2022 Application must still submit any appropriate revisions to the 'Description of Use of Part C Funds'. States should follow the instructions and use the forms in Section III.

A. Description of Use of Federal IDEA Part C Funds for the State Lead Agency (LA) and the Interagency Coordinating Council (ICC)

Please Note: Completion of Section IIIA is required for all States, regardless of lead agency.

When completing this section include:

- Totals for the number of lead agency and ICC administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Federal IDEA Part C funds;
- A general description of the duties which the positions entail;
- A distinction between lead agency and ICC roles: insert (LA) or (ICC) in the "Description of Duties;" after each position; and
- A subtotal of the amount under Section A.

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Part C application budget.

B. Maintenance and Implementation Activities for the Lead Agency and the ICC

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services:
  - Lead Agency Activities could include enhancing the Comprehensive System of Personnel Development, implementing child find strategies, or ensuring a timely, comprehensive, multidisciplinary evaluation for each child;
  - ICC Activities could include coordinating child find identification efforts, ensuring the timely provision and payment of early intervention services to eligible children and their families, advising on early childhood transition, support for the ICC (travel), or other implementation and development activities of the ICC
- The approximate amount of Federal IDEA Part C funds to be spent for each activity; and
- A subtotal of the amount under Section B.

## Special Note: Prior Approval

Some direct costs under the grant require prior approval.<sup>3</sup> These items include using Federal IDEA Part C funds to pay for: (1) equipment (with per unit costs of \$5,000 or more); (2) participant support costs (such as training or travel costs for non-employees); (3) construction or renovation of facilities; or (4) rent, occupancy or space maintenance costs. On October 29, 2019, OSERS released *Frequently Asked Questions (2019 FAQs) Prior Approval – OSEP and RSA Formula Grants*<sup>4</sup> which details prior approval flexibilities for **equipment and participant support costs** and describes the parameters under which OSEP has provided prior approval for a subset of these costs. Please review the 2019 FAQs at <https://www2.ed.gov/policy/speced/guid/faq-prior-approval-10-29-2019.pdf>) prior to completing Section III B. For any activity or expense listed under Section III of this application that falls outside the scope of the FAQ and requires OSEP prior approval, please mark an “X” in the right hand column of the chart. The State must submit supporting documentation for any direct costs that require OSEP prior approval.

Approval of the State’s FFY 2022 application and Section III does not constitute OSEP’s approval of these expenses

### C. Direct Services (Funded by Federal IDEA Part C Funds)

When completing this section include:

- A description of any direct early intervention service that the State lead agency expects to provide to eligible children and their families with Federal IDEA Part C funds under this part. The description must include information about each type of service to be provided, including:
  - A summary of the methods to be used to provide the service (e.g., contracts or other arrangements with specified public or private organizations); and
  - The approximate amount for each direct service (States must disaggregate by service the approximate amount of Federal IDEA Part C funds expected to be expended for each direct service.

Provide subtotals of the amount under Section C and for salaries and fringe benefits for direct service employees (discipline).

### D. Activities by Other State Agencies

If State agencies (other than the State lead agency) are to receive a portion of the Federal IDEA Part C funds, and that amount is not already identified in Section III.C above, the State must include in this section:

- The name of each State public agency expected to receive funds;
- The approximate amount of funds each State public agency will receive; and
- A summary of the purposes for which the funds will be used.

Provide a subtotal of the amount under Section D.

### E. Description of Optional Use of IDEA Part C Funds

In addition to using Federal IDEA Part C funds to maintain and implement the statewide system of early intervention, States may use funds for:

- expanding and improving on services for infants and toddlers and their families that are otherwise available; and
- initiating, expanding, or improving collaborative efforts related to at-risk infants and toddlers in any State that does not provide services for at-risk infants and toddlers. The application must include:
  - The name of the major activity;

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<sup>3</sup> IDEA and the Uniform Guidance require prior approval for the following expenses: (1) equipment (tangible personal property (including information technology systems) having a useful life of more than one year and a per unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the nonfederal entity for financial statement purposes, or \$5,000 2 CFR §200.33); (2) participant support costs (direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees), in connection with conferences or training projects 2CFR §200.75; (3) construction/renovation ( see 2 CFR §200.12(b)); and (4) rent (see 2 CFR §200.465).

<sup>4</sup> Under the 2019 FAQs FAQ, OSERS granted prior approval for participant support costs under IDEA that: are associated with State Interagency Coordinating Councils; incurred during the provision of services under IDEA; do not exceed \$5000 per individual participant per training/conference. In addition, the 2019 FAQs provide prior approval for equipment that is identified on or directly related to the implementation of the IFSP.

- The approximate amount of funds to be spent; and
- A description of the activities.

Provide a subtotal of the amount under Section E.

F. Totals

Enter the subtotal amounts for Sub Sections A-E found in Section III and enter in row 6 any indirect costs to be charged to the State's FFY 2022 Federal IDEA Part C funds based on the information and documentation provided by the State in Section IV.B. The subtotal amounts (Rows 1-6) should total the estimated grant application amount. (A State may apply for less than the full estimated allotted amount.)

**Section IV**

A. System of Payments / Use of Insurance / Program Income

When completing this section:

- Place a check in one of the two blanks provided. By entering a check in the appropriate blank the State is indicating whether the State is required to have a written system of payments policy for Part C services under 34 CFR §§303.203(b)(1), 303.500(b), 303.520, and 303.521. The State is required to have a policy if the State uses public insurance or benefits, private insurance or family fees, such as a sliding scale, to pay for Part C services. Such a policy must be in writing, subjected to the public participation requirements in 34 CFR §303.208(b); on file with OSEP, and reflected in the State's response under Section II.A.3.a of the Application.

If the State has adopted new or has revised its existing policies and procedures regarding its system of payments, it must submit these policies and procedures under Section II of the Application unless those documents were previously submitted and approved by OSEP.

B. Restricted Indirect Cost Rate/Cost Allocation Plan Information

All States, regardless of lead agency, must complete the requested information on indirect costs in Section IV.B of the Application and submit the required documentation where noted. Because the IDEA (20 U.S.C. 1437(b)(5)(B)) has a statutory requirement that prohibits the use of Federal IDEA Part C funds to supplant non-Federal funds, the IDEA Part C regulations at 34 CFR §303.225(c) and the Education Department General Administration Regulations (EDGAR), at 34 CFR §§76.560-76.569, require that Part C lead agencies use an approved restricted indirect cost rate (RICR) or a cost allocation plan (CAP) that applies costs on a restricted basis for the Part C program. State must complete the date for which they have an approved RICR or CAP. States must also submit with the Application any indirect cost documentation that the Part C lead agency has either: (1) an approved final RICR agreement (and if not approved through the end of this FFY, the most recently approved RICR and applicable dates) or (2) CAP that applies costs on a restricted basis for the Part C program that is applicable for FFY 2022 (effective July 1, 2022 through June 30, 2023).