

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. Public reporting burden for this collection of information is estimated to average –

Consultation	LEA: 12 hours SEA: 24 hours	Hearing Officers and Mediators List	LEA: 3 hours SEA: 3 hours
Consultation Complaints	Private School: 2 hours LEA: 4 hours SEA: 20 hours	State Complaint Procedures	SEA: 30 hours
Number of Parentally-placed Private School Students	LEA: 10 hours SEA: 20 hours	LEA Part B Application	LEA: 2 hours
High Cost Fund	SEA: 40 hours	Procedural Safeguards	LEA: 3 hours
Legal Services List	LEA: 0.5 hours	Significant Disproportionality calculations	SEA: 156 hours
Setting standards for significant disproportionality with Advice from stakeholders .	Stakeholders: 64 hours SEA: 33.33 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 demonstrate compliance with the requirements of the Individuals with Disabilities Education Act. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden through www.regulations.gov.

Instrument

Required Collection	Statutory Authority	Regulatory Authority
<i>LEA consultation with private school representatives and representatives of parents of parentally-placed private school children with disabilities.</i> The consultation process must address how, if the LEA disagrees with the views of the private school officials on the provision of services or the types of services (whether provided directly or through a contract), the LEA will provide the private school officials a written explanation of the reasons why the LEA chose not to provide those services directly or through a contract. The LEA must obtain a written affirmation signed by the representatives of participating private schools that timely and meaningful consultation has occurred. If the private school representatives do not provide the written affirmation within a reasonable period of time, the LEA must forward the documentation of the consultation process to the State educational agency (SEA).	20 U.S.C. 1412(a)(10)(A)(iii)(V) and (iv)	§§300.134(e) and 300.135
<i>Private school official’s complaint of noncompliance.</i> A private school official has	20 U.S.C. 1412(a)(10)(A)(v)	§300.136

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Required Collection	Statutory Authority	Regulatory Authority
the right to submit a complaint to the SEA that the LEA did not engage in consultation that was meaningful and timely or did not give due consideration to the views of the private school official.		
<i>Number of children with disabilities enrolled in private schools by their parents, other than children with disabilities enrolled by their parents in private schools when a free appropriate public education is at issue.</i> Each LEA must maintain in its records and annually provide to the SEA the number of children enrolled in private schools by their parents that are evaluated by the LEA under IDEA, the number of children determined to be children with disabilities under IDEA, and the number of children served in accordance with 20 U.S.C. 1412(a)(10)(A).	20 U.S.C. 1412(a)(10)(A)(i)(V)	§300.132
<i>State plan for high cost fund.</i> Any State educational agency (SEA), not later than 90 days after the State chooses to reserve funds under 20 U.S.C. 1411(e)(3)(C)(ii) shall annually review, and amend as necessary, a State plan for the high cost fund for the purpose of assisting LEAs (including a charter school that is an LEA or a consortium of LEAs) in addressing the needs of high need children with disabilities.	20 U.S.C. 1411(e)(3)(C)(ii)	§300.704(c)(3)(i)
<i>Free and low-cost legal services.</i> Each public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information or the parent or agency files a due process complaint under §300.507.	20 U.S.C. 1415(b)(6)	§300.507
<i>List of hearing officers and mediators.</i> Each State receiving funds under Part B of IDEA must maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services. Each public agency must maintain a list of individuals who serve as hearing officers, along with the qualifications of each of these individuals. (This information was included in previous OMB Collection 1820-0509)	20 U.S.C.1415(e)(2)(C)	§§300.506(b)(3)(i) and 300.511(c)(3)
<i>State complaint procedures.</i> Each SEA must adopt written procedures for resolving any complaint, including a complaint filed by an organization or individual from another State, that meets the requirements of §300.153. The complaint must be signed and written and allege that a public agency has violated a requirement of Part B of IDEA or the Part B regulations and the facts upon which the allegation is based. (This information was included in former OMB	20 U.S.C. 1221 e-3	§§300.151-300.153

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Required Collection	Statutory Authority	Regulatory Authority
Collection 0599)		
<p><i>LEA plan under Part B.</i> In order to be eligible for assistance under Part B of IDEA for a fiscal year, LEAs and eligible state agencies must submit a plan to the SEA that provides assurances that the LEA or eligible state agency meets specified requirements for assistance under Part B and the regulations.</p>	20 U.S.C. 1413(a)	§§300.201-300.213, and §300.224
<p><i>Procedural Safeguards Notice.</i> A parent of a child with a disability must be provided a copy of the procedural safeguards notice only one time a school year, except a copy shall be provided upon initial referral or parent request for an evaluation; upon receipt of the first State complaint under 34 C.F.R. §§300.151 through 300.153 and upon receipt of the first due process complaint under 34 C.F.R. §300.507 in a school year; in accordance with the discipline procedures in 34 C.F.R. §300.530(h); and upon request by a parent.</p>	20 U.S.C. 1415(d)(1)(A)	§300.504(a)
<p><i>Significant Disproportionality.</i> Under 20 U.S.C. 1418(d) and 34 C.F.R. §300.646, States are required to collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State with respect to the identification of children as children with disabilities, including identification as children with particular impairments; the placement of children in particular educational settings; and the incidence, duration, and type of disciplinary actions, including suspensions and expulsions. Section 300.647 addresses how States must make a significant disproportionality determination. States must make determinations annually by determining the number of prior years' data to be analyzed, calculating and comparing the risk ratios, or alternate risk ratios as appropriate, to the thresholds for each LEA in the State in each of the categories described in §300.647 (b)(3) and (4) and for each racial and ethnic group described in §300.647(b)(2) in accordance with §§300.646 and 300.647 to determine if significant disproportionality occurred. States must retain these risk ratios, or alternate risk ratios, and whether the risk ratios triggered a finding of significant disproportionality requiring the provision of comprehensive coordinated early intervening services, for review if requested.</p>	20 U.S.C. 1418(d)	§§300.646 and 300.647
<i>Setting standards for significant</i>	20 U.S.C. 1412(a)(21)(D)	§300.647(b)(1)(i) and (iii)

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<p><i>disproportionality with advice from stakeholders.</i></p> <p>State selected standards for reasonable risk ratio thresholds, minimum cell-sizes, minimum n-sizes, and, if the State uses the “reasonable progress” flexibility, standards for measuring reasonable progress and the number of year’s data that determinations are based upon. These standards “must be based on advice from stakeholders, including State Advisory Panels, as provided under section 612(a)(21)(D)(iii) of [IDEA].”</p>	<p>(iii) and 1418(d)</p>	<p>(A).</p>