

CDE IEP Implementation Requirements Letter – December 2022

To meet the monitoring requirements outlined in 34 Code of Federal Regulations (CFR) section 300.600, the California Department of Education (CDE), Special Education Division (SED) will begin collecting aggregate data on individualized education program (IEP) Implementation in Spring 2023 to support LEAs in implementing 34 CFR 300.323 (c)(2).

During the 2021–2022 school year, the SED consulted with Special Education Local Plan Areas and Local Educational Agencies (LEAs) on the data elements and data collection methodology. The CDE also completed a pilot of the data collection with a sample of LEAs to determine the and efficient method to collect the data.

Under this new data collection, LEAs are required to review a sample of student records to determine the rate of IEP Implementation for a specified period of time. The LEA will report to the CDE an aggregated rate of implementation of services prescribed in the affirmed IEP. The number of records an LEA is required to review is based on an LEA's size and count of students with disabilities (SWD) certified at time of census.

In April, the CDE will provide LEAs with a list of students for whom the LEA must review the student records and determine the IEP Implementation rate for a three-month period, from February 2023 to April 2023.

Between May and June of 2023 the LEA will conduct the review of records for the above three month time period. The LEA will summarize and report the following:

- The number of students who had more or less than 90% of their services implemented during the review period.
- The data will be due to CDE no later than June 30, 2023.

The CDE does not prescribe the manner in which the LEA annually tracks delivery of IEP-based services. To effectively meet the reporting requirements, LEAs should maintain records, such as service logs, and track service delivery for SWDs' IEPs. The LEA will use these records to analyze the students in the sample identified by the CDE.

Shortly, the CDE will hold a number of training webinars for LEAs to describe the data collection tool that will be used to upload the data to CDE and answer LEA questions about the collection in preparation for the reporting period. More information will be made available closer to that time.

The IEP Implementation data collection comes as a part of CDE's efforts to help improve LEA's program efficiency and effectiveness in providing special education services to students across California. We are hopeful that the inclusion of this data element in monitoring will help CDE support LEAs to uphold our promise to support all students with IEPs to reach their full potential.