ANNUAL STATE APPLICATION UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004 FOR FEDERAL FISCAL YEAR 2023

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS
Washington, DC 20202-2600

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 currently valid OMB control number. The valid OMB control number for this collection is 1820-0030. Public reporting burden for this collection of information is estimated to average 14 hours per responses, and an average of 25 additional hours for responses reporting data related to significant disproportionality in a given year, including the 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 a benefit under 20 U.S.C. 1411 and 1419. If you have comments or concerns regarding the status of your individual submission of this form, please contact Jennifer Simpson at Jennifer.Simpson@ed.gov or at the Office of Special Education and Rehabilitative Services US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Respondents are required to provide the data in Section V pursuant to IDEA section 618(a)(3), which provides the Secretary authority to collect annual data on any information that may be required by the Secretary and 34 CFR §300.647(b)(7), which requires States to report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR §300.647(d)(2), and the rationales for each, to the Department.
Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A. of this Application.

2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State’s highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A.:
   a. Section II.A. provides documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
   b. As noted in Section II.A., the State has not completed all issues identified in the FFY 2022 conditional approval letter.

2. Conditional Approval Related to Other Issues:
   a. The State previously submitted documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
   b. The State is attaching documentation of completion of all issues identified in the FFY 2022 conditional approval letter. (Attach documentation showing completion of all issues.)
   c. The State has not completed all issues identified in the FFY 2022 conditional approval letter. (Attach documentation showing completion of any issues and a list of items not yet completed.)
### Section II

#### A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

<table>
<thead>
<tr>
<th>Yes (Assurance is given Place a check as applicable.)</th>
<th>No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)</th>
<th>Assurances Related to Policies and Procedures</th>
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<tbody>
<tr>
<td></td>
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<td>1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108.</td>
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<tr>
<td>✓</td>
<td></td>
<td>2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110)</td>
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<tr>
<td>✓</td>
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<td>3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111.</td>
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<td>✓</td>
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<td>4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.324, except as provided in §§300.300(b)(3) and 300.300(b)(4). (20 U.S.C. 1412(a)(4); 34 CFR §300.112)</td>
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<td>✓</td>
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<td>5. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be</td>
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<td>Florida State achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120.</td>
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<td>✓</td>
<td>6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121.</td>
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<td>✓</td>
<td>7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122)</td>
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<td>✓</td>
<td>8. Agencies in the State comply with 34 CFR §§300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123)</td>
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<td>✓</td>
<td>9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124)</td>
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<td>✓</td>
<td>10. Agencies in the State, and the SEA if applicable, comply with the requirements of 34 CFR §§300.130 through 300.148 (relating to responsibilities for children in private schools), including that to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148)</td>
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<td>✓</td>
<td>11. The State educational agency is responsible for ensuring that the requirements of Part B are met including the requirements of 34 CFR §§300.113, 300.149, 300.150 through 300.153, and 300.175 and 300.176 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149)</td>
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<td>✓</td>
<td>12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(1)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during</td>
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<td>the pendency of any dispute under §300.154(a)(3). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154.</td>
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<td>13.</td>
<td>The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155)</td>
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<td>14.</td>
<td>The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E), as amended by the Every Student Succeeds Act; 34 CFR §300.156.</td>
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<td>15.</td>
<td>The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C), as amended by the Every Student Succeeds Act; 34 CFR §300.157.</td>
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<td>16.</td>
<td>All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); as amended by the Every Student Succeeds Act; 34 CFR §300.160.</td>
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<td>17.</td>
<td>Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162.</td>
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<td>18.</td>
<td>The State will not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year, unless a waiver is granted, in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §§300.163 through 300.164.</td>
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<td>19.</td>
<td>Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165)</td>
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<td>20.</td>
<td>In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166)</td>
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<td>21.</td>
<td>The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education</td>
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and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169.

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<td>22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170.</td>
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<td>23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172.</td>
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<td>23b. (Note: Check either &quot;23b.1&quot; or &quot;23b.2&quot; whichever applies.</td>
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<td>23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to:</td>
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<td>• require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or</td>
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<td>• purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172)</td>
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<td>23b.2 The State educational agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172)</td>
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<td>24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173)</td>
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<td>25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174.</td>
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B. Other Assurances

The State also makes the following assurances:

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<tr>
<th>Yes</th>
<th>Other Assurances</th>
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<tr>
<td>☑</td>
<td>1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705.</td>
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<td>☑</td>
<td>2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.)</td>
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<td>☑</td>
<td>3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702)</td>
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<tr>
<td>☑</td>
<td>4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations.</td>
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C. Certifications

The State is providing the following certifications:

<table>
<thead>
<tr>
<th>Yes</th>
<th>Certifications</th>
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</table>
| ☑   | 1. The State certifies that ED Form 80-0013, Certification Regarding Lobbying, is on file with the Secretary of Education.  
   With respect to the Certification Regarding Lobbying, the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers. |
| ☑   | 2. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154 (or 20 U.S.C. 1412(a)(12)(A)); 34 CFR §300.154(a) are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171. |
D. Statement

I certify that the State of Florida can make the assurances checked as 'yes' in Section II.A. and II.B. and the certifications required in Section II.C. of this application. These provisions meet the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) as found in PL 108-446 and the implementing regulations. The State will operate its IDEA Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA, as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. (34 CFR § 76.104)

I, the undersigned authorized official of the

Florida Department of Education,
(Name of State and official name of State agency)

am designated by the Governor of this State to submit this application for FFY 2023 funds under Part B of the IDEA.

<table>
<thead>
<tr>
<th>Printed/Typed Name of Authorized Representative of the State:</th>
<th>Manny Diaz, Jr.</th>
</tr>
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<tbody>
<tr>
<td>Title of Authorized Representative of the State:</td>
<td>Commissioner</td>
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<tr>
<td>Signature:</td>
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<td>Date:</td>
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Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act—20 U.S.C. 1411(e)(5); 34 CFR § 300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the FFY 2023 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7).) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2). The dollar amounts listed in the Excel Interactive Spreadsheet by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State’s Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State’s application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR § 300.704)

The Florida Department of Education, Bureau of Exceptional Education and Student Services (Bureau) utilizes various methods to obtain input from local educational agencies (LEAs) regarding the distribution of funds for the activities described. The Bureau posts relevant items for public comment on the Florida Administrative Register https://www.flrules.org/ and on the Florida Department of Education’s web site https://www.fldoe.org/.

Additionally, the Bureau releases a weekly communication that informs LEAs of relevant updates, including those to rules, legislation, upcoming meetings, professional development opportunities and services offered by discretionary grant projects. The Bureau also collects information from LEAs via email at a dedicated email address. LEAs also have the option to call the Bureau and speak with a liaison or specialist for additional information and support. The Bureau also hosts several in-person meeting opportunities for LEAs throughout the year, where relevant information is presented and LEAs have the opportunity to provide feedback and input. Bureau staff participates in various meetings throughout the state to provide updates and receive feedback from LEAs. Lastly, the Bureau’s State Advisory Panel provides meaningful input to the Bureau on these matters.

1Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or $800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or $35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) $800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.
If you propose to set aside $850,000 or less for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside more than $850,000 for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

You must distribute, in whole dollars, the amount you want to set aside for Administration among the following activities:

For the purpose of administering IDEA Part B including Preschool Grants under 20 U.S.C. 1419, a High Cost Fund, and the coordination of activities under Part B with other programs that provide services to children with disabilities. (Note: These funds may be used for Administering but not Financing a High Cost Fund)

For the administration of Part C of IDEA, if the SEA is the Lead Agency for the State under Part C

You may set aside a portion of your Administration funds resulting from inflation for the following 4 Other State-Level Activities. Additional funds for these purposes may also be set aside under Other State-Level Activities. Based on the amount that you propose to set aside for Administration, the maximum amount of Administration funds that you may use for these 4 activities is:

$4,049,029

For support and direct services, including technical assistance, personnel preparation, and professional development and training.

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

To assist local educational agencies in meeting personnel shortages.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

Subtotal, Administration funds used for Other State-Level Activities $0

If you receive a Preschool Grant under 20 U.S.C. 1419, you may use Administration funds, along with other funds, to develop and implement a State policy jointly with the lead agency under Part C and the SEA to provide early intervention services (which must include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills) in accordance with Part C to children with disabilities who are eligible for services under the Preschool Grant program and who previously received services under Part C until such children enter, or are eligible under State law to enter, kindergarten, or elementary school as appropriate.

The total of details for your Administration set-aside is $13,990,721

OTHER STATE-LEVEL ACTIVITIES

If you propose to set aside more than $850,000 for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside more than $850,000 for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

If you propose to set aside $850,000 or less for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

If you propose to set aside $850,000 or less for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

Do you wish to use funds for a High Cost Fund? (Yes or No)

Based on the amount that you intend to set aside for Administration, the size of your total award, and your decision NOT TO use set aside funds to support a High Cost Fund, the maximum that you may use for Other State-Level Activities is:

How much do you want to set aside for Other State-Level Activities?
Required Activities:

For monitoring, enforcement, and complaint investigation. (You must use at least $1 for this purpose)

For establishing and implementing the mediation process required by 20 U.S.C. 1415(a), including providing for the cost of mediators and support personnel. (You must use at least $1 for this purpose)

Optional Authorized Activities:

For support and direct services, including technical assistance, personnel preparation, and professional development and training

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

To assist local educational agencies in meeting personnel shortages.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

To support paper work reduction activities, including expanding the use of technology in the BP process.

To improve the use of technology in the classroom by children with disabilities to enhance learning.

To support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.

Development and implementation of transition programs, including coordination of services with agencies involved in supporting the transition of children with disabilities to postsecondary activities.

Alternative programming for children with disabilities who have been expelled from school, and services for children with disabilities in correctional facilities, children enrolled in State-operated or State-supported schools, and children with disabilities in charter schools.

To support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children with disabilities, in accordance with Sections 1112(b) and 1201 of the Elementary and Secondary Education Act of 1965.

To provide technical assistance to schools and LEAs, and direct services, including direct student services described in section 1303(a)(2) of the ESEA to children with disabilities, to schools or LEAs implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1115(b) of the ESEA on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement based on the challenging academic standards described in section 1118(b)(1) of the ESEA.

$0 More needs to be distributed.

$0 More needs to be distributed.

$0 More needs to be distributed.

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$0 More needs to be distributed.

$0 More needs to be distributed.

$0 More needs to be distributed.

The total of details for your Other State-Level Activities set-aside is $48,813,045 OK

You are almost done.

If you are using money for a High Cost Fund. You must report how much you will use for each of the following two activities. You reported that you would use

$0

To establish and make disbursements from the high cost fund to local educational agencies in accordance with 20 U.S.C. 1411(a)(3) during the first and succeeding fiscal years of the high cost fund.

To support innovative and effective ways of cost sharing by the State, by an LEA, or among a consortium of LEAs, as determined by the State in coordination with representatives from LEAs, subject to 20 U.S.C. 1411(a)(3)(B) (Amount may not be more than 5% of the amount reserved for the LEA Risk Pool.)

Establishment of High Cost Fund (20 U.S.C. 1411(a)(3)(E)) - A State shall not use any of the funds the State reserves pursuant to 20 U.S.C. 1411(a)(3)(E), but may use the funds the State reserves under 20 U.S.C. 1411(a)(1), to establish and support the high cost fund.

Subtotal, High Cost Fund $0 OK

($1,399,072)
$4,049,629
Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

1. ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title;

2. identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and

3. minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local educational agencies in writing of such State-imposed rules, regulations or policies. (20 U.S.C. 1407(a); 34 CFR § 300.199)

See attached.
Section V

A. Maintenance of State Financial Support

Pursuant to the authority established in IDEA section 618(a)(3), each applicant for funds under section 611 must provide the following State fiscal data with a certification of its accuracy by the State budget office or an authorized representative thereof. Amounts should be shown in whole dollars and are for the State fiscal year (SFY). States may meet the maintenance of State financial support (MFS) requirement in IDEA section 612(a)(18) and 34 CFR § 300.163 on either a total or per capita basis. In order to complete Section V.A. of the Application, States must provide in whole dollars the total amount of State financial support made available for special education and related services for children with disabilities during SFYs 2021 and 2022. However, if a State met the MFS requirement on a per capita basis, it must complete the first chart and then may also complete the second chart by providing, in whole dollars, the amount of State financial support made available for special education and related services per child with a disability during SFYs 2021 and 2022.

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State Budget Officer or Authorized Representative (Printed Name)

________________________________________________________

State Budget Officer or Authorized Representative (Printed Name)

Signature of State Budget Officer or Authorized Representative

Date
B. Significant Disproportionality

In accordance with 34 CFR § 300.647(b)(7), each State must report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR § 300.647(d)(2), and the rationales for each, to the Department. Under § 300.647(b)(7), rationales for minimum cell sizes that exceed 10 and minimum n-sizes that exceed 30 must include a detailed explanation of why the numbers chosen are reasonable and how they ensure that the State is appropriately analyzing and identifying LEAs with significant disproportionality based on race and ethnicity, in the identification, placement, or discipline of children with disabilities. Additionally, pursuant to the authority established in IDEA section 618(a)(3), each applicant must also provide the number of years of data it uses in making annual determinations of significant disproportionality. Each applicant must provide this information by completing and submitting the Significant Disproportionality Reporting Form.

All States completed and submitted the Significant Disproportionality Reporting Form with their FFY 2020 IDEA Part B application. After the initial submission of the Form, a State will only be required to submit the Form with any future annual IDEA Part B State applications if the State modifies its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

If your State has revised its Significant Disproportionality procedures or has any questions regarding Section V.B. of the grant application, please contact your OSEP State Lead before the Application due date.
Section A: Florida Statutes Pertaining to Exceptional Student Education

Chapter 1000, K-20 General Provisions

1000.03 Function, mission, and goals of the Florida K-20 education system
1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required
1000.21 Systemwide definitions
1000.36 Interstate Compact on Educational Opportunity for Military Children

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1001.02 General powers of State Board of Education
1001.11 Commissioner of Education; other duties
1001.213 Office of Early Learning
1001.42 Powers and duties of district school board
1001.451 Regional consortium service organizations
1001.49 General powers of district school superintendent
1001.51 Duties and responsibilities of district school superintendent
1001.52 Reproduction and destruction of district school records

Chapter 1002, Student and Parental Rights and Educational Choices

1002.20 K-12 student and parent rights
1002.21 Postsecondary student and parent rights
1002.22 Education records and reports of K-12 students; rights of parents and students; notification; penalty
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1002.23 Family and School Partnership for Student Achievement Act
1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options
1002.33 Charter schools
1002.36 Florida School for the Deaf and the Blind
1002.38  Opportunity Scholarship Program
1002.385  The Gardiner Scholarship
1002.39  The John M. McKay Scholarships for Students with Disabilities Program
1002.391  Auditory-oral education programs
1002.395  Florida Tax Credit Scholarship Program
1002.42  Private schools
1002.451  District innovation school of technology program
1002.51  Definitions
1002.53  Voluntary Prekindergarten Education Program; eligibility and enrollment
1002.66  Specialized instructional services for children with disabilities
1002.81  Definitions
1002.82  Office of Early Learning; powers and duties
1002.83  Early learning coalitions
1002.84  Early learning coalitions; school readiness powers and duties
1002.85  Early learning coalition plans
1002.86  School readiness program; education component
1002.87  School readiness program; eligibility and enrollment
1002.88  School readiness program provider standards; eligibility to deliver the school readiness program
1002.89  School readiness program; funding
1002.895  Market rate schedule
1002.91  Investigations of fraud or overpayment; penalties
1002.92  Child care and early childhood resource and referral
1002.93  School readiness program transportation services
1002.94  Child Care Executive Partnership Program
1002.95  Teacher Education and Compensation Helps (TEACH) scholarship program
1002.96  Early Head Start collaboration grants
1002.97  Records of children in the school readiness program

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1003.02  District school board operation and control of public K-12 education within the school district
1003.03  Maximum class size
1003.04  Student conduct and parental involvement
1003.05  Assistance to transitioning students from military families
1003.21  School attendance
1003.22  School-entry health examinations; immunization against communicable diseases; exemptions; duties of Department of Health
1003.23  Attendance records and reports
1003.24  Parents responsible for attendance of children; attendance policy
1003.25  Procedures for maintenance and transfer of student records
1003.26  Enforcement of school attendance
1003.27  Court procedure and penalties
1003.28  Continuation of truancy remedial activities upon transfer of student; retention of legal jurisdiction
1003.29  Notice to schools of court action
1003.31  Students subject to control of school
1003.32  Authority of teacher; responsibility for control of students; district school board and principal duties
1003.33  Report cards; end-of-the-year status
1003.41  Next Generation Sunshine State Standards
1003.4156  General requirements for middle grades promotion
1003.42  Required instruction
1003.4203 Digital materials, CAPE Digital Tool certificates, and technical assistance

1003.4205 Disability history and awareness instruction

1003.4282 Requirements for a standard high school diploma

1003.4285 Standard high school diploma designations

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements

1003.435 High school equivalency diploma program

1003.436 Definition of “credit”

1003.437 Middle and high school grading system

1003.49 Graduation and promotion requirements for publicly operated schools

1003.499 Florida Approved Courses and Tests (FACT) Initiative

1003.4995 Fine arts report

1003.51 Other public educational services

1003.52 Educational services in Department of Juvenile Justice programs

1003.53 Dropout prevention and academic intervention

1003.54 Teenage parent programs

1003.55 Instructional programs for blind or visually impaired students and deaf or hard-of-hearing students

1003.56 English language instruction for limited English proficient students

1003.57 Exceptional students instruction

1003.571 Instruction for exceptional students who have a disability

1003.5715 Parental consent; individual education plan

1003.5716 Transition to postsecondary education and career opportunities

1003.572 Collaboration of public and private instructional personnel

1003.573 Use of restraint and seclusion on students with disabilities

1003.575 Assistive technology devices; findings; interagency agreements
1003.576  Individual education plans for exceptional students
1003.58  Students in residential care facilities
1003.621  Academically high-performing school districts

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1004.0961  Credit for online courses
1004.44  Louis de la Parte Florida Mental Health Institute
1004.444  Florida Center for Cybersecurity
1004.55  Regional autism centers; public record exemptions
1004.91  Requirements for career education program basic skills

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1006.062  Administration of medication and provision of medical services by district school board personnel
1006.0625  Administration of psychotropic medication; prohibition; conditions
1006.07  District school board duties relating to student discipline and school safety
1006.08  District school superintendent duties relating to student discipline and school safety
1006.09  Duties of school principal relating to student discipline and school safety
1006.10  Authority of school bus drivers and district school boards relating to student discipline and student safety on school buses
1006.13  Policy of zero tolerance for crime and victimization
1006.15  Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation
1006.165  Automated external defibrillator; user training
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1006.22 Safety and health of students being transported

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials

1006.283 District school board instructional materials review process

1006.38 Duties, responsibilities, and requirements of instructional materials publishers and manufacturers

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1007.2615 American Sign Language; findings; foreign-language credits authorized; teacher licensing

1007.2616 Computer science and technology instruction

1007.263 Florida College System institutions; admissions of students

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1007.265 Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations

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1008.22 Student assessment program for public schools

1008.24 Test administration and security; public records exemption

1008.25 Public school student progression; student support; reporting requirements

1008.30 Common placement testing for public postsecondary education

1008.34 School grading system; school report cards; district grade
Chapter 1008, School Grade or School Improvement Rating for Exceptional Student Education Centers

1008.3415  School grade or school improvement rating for exceptional student education centers

1008.44  CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List

Chapter 1009, Educational Scholarships, Fees, and Financial Assistance

1009.41  State financial aid; students with a disability

1009.62  Grants for teachers for special training in exceptional student education

1009.74  The Theodore R. and Vivian M. Johnson Scholarship Program

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1010.215  Educational funding accountability

1010.305  Audit of student enrollment

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1011.62  Funds for operation of schools

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1011.685  Class size reduction; operating categorical fund

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1011.75  Gifted education exemplary program grants

1011.84  Procedure for determining state financial support and annual apportionment of state funds to each Florida College System institution district

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1012.01  Definitions

1012.07  Identification of critical teacher shortage areas

1012.22  Public school personnel; powers and duties of the district school board
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1012.42 Teacher teaching out-of-field
1012.44 Qualifications for certain persons providing speech-language services
1012.55 Positions for which certificates required
1012.56 Educator certification requirements
1012.565 Educator certification for blind and visually impaired students
1012.582 Continuing education and inservice training for teaching students with developmental disabilities
1012.585 Process for renewal of professional certificates
1012.586 Additions or changes to certificates; duplicate certificates
1012.98 School Community Professional Development Act

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39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline

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381.88 Emergency allergy treatment
381.885 Epinephrine auto-injectors; emergency administration

Chapter 383, Maternal and Infant Health Care
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394.4599 Notice
Chapter 402, Health and Human Services: Miscellaneous Provisions

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411.202 Definitions
411.203 Continuum of comprehensive services

Part II, Prevention and Early Assistance

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411.223 Uniform standards
411.224 Family support planning process

Part III, Childhood Pregnancy Prevention Public Education Program

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468.201  Short title; purpose (Occupational Therapy)

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743.067  Certified unaccompanied homeless youths

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984.151  Truancy petition; prosecution; disposition

Chapter 985, Juvenile Justice; Interstate Compact on Juveniles

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6A-1.0452  Distribution of Florida Education Finance Program Funds

6A-1.0453  Educational Program Audits

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6A-1.0503  Definition of Qualified Instructional Personnel
6A-1.09401  Student Performance Standards
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6A-1.094121 Mental and Emotional Health Education
6A-1.09414  Course Requirements - Grades PK-12 Exceptional Student Education
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6A-4.0181 Specialization Requirements for Certification in School Counseling (Grades PK-12) - Specialty Class
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6A-6.03026 Eligibility Criteria for Prekindergarten Children with Disabilities
6A-6.03027 Special Programs for Children Three Through Five Years Old who are Developmentally Delayed
6A-6.03028 Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities
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6A-6.03030 Exceptional Student Education Eligibility for Infants or Toddlers Birth Through Two Years Old who have Established Conditions
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6A-6.03032  Procedural Safeguards for Children with Disabilities Ages Birth Through Two Years

6A-6.0311  Eligible Special Programs for Exceptional Students

6A-6.0331  General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services

6A-6.03311  Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities

6A-6.03312  Discipline Procedures for Students with Disabilities

6A-6.03313  Procedural Safeguards for Exceptional Students Who Are Gifted

6A-6.0333  Surrogate Parents

6A-6.0334  Individual Educational Plans (IEPs) and Educational Plans (EPs) for Transferring Exceptional Students

6A-6.03411  Definitions, ESE Policies and Procedures, and ESE Administrators

6A-6.0361  Contractual Arrangements With Nonpublic Schools and Residential Facilities

6A-6.052  Dropout Prevention Programs

6A-6.0521  Definitions and Requirements Which Apply to All Dropout Prevention Programs

6A-6.0525  Teenage Parent Programs

6A-6.05281  Educational Programs for Students in Department of Juvenile Justice Detention, Prevention, Residential, or Day Treatment Programs

6A-6.053  K-12 Comprehensive Evidence-Based Reading Plan

6A-6.0571  Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

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6A-6.0574  CAPE Postsecondary Industry Certification Funding List

6A-6.09091  Accommodations of the Statewide Assessment Program Instruments and Procedures for English Language Learners
6A-6.0961 Gardiner Scholarship Program

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Chapter 6A-7, Special Programs II

6A-7.0335 Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions

6A-7.099 Challenge Grant Program for the Gifted

Chapter 6A-10, Miscellaneous

6A-10.0401 Gold Standard Career Pathways Articulation Agreements

Chapter 6A-19, Educational Equity

6A-19.001 Scope, Coverage and Definitions

Chapter 6A-20, Student Financial Assistance

6A-20.025 Grants for Teachers for Special Training in Exceptional Student Education

6A-20.111 Criteria for Documentation of Disability

Chapter 6D-3, Enrollment Requirements: Identification and Assignments of Students (Florida School for the Deaf and the Blind)

6D-3.002 Admission and Enrollment Requirements

Chapter 6D-3, Control of Communicable Diseases and Conditions which May Significantly Affect Public Health

6D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes

Chapter 6F-6, School Health Services Program

6F-6.001 Definitions

6F-6.002 School Health Services Plan

6F-6.003 Screening

6F-6.004 Meeting Emergency Health Needs
NOTICE TO ALL APPLICANTS:
EQUITY FOR STUDENTS, EDUCATORS, AND OTHER PROGRAM BENEFICIARIES

Section 427 of the General Education Provisions Act (GEPA) (20 U.S.C. 1228a) applies to applicants for grant awards under this program.

ALL APPLICANTS FOR NEW GRANT AWARDS MUST INCLUDE THE FOLLOWING INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.

Please respond to the following requests for information:

1. Describe how your entity’s existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.
   It is essential that all students are provided an opportunity to achieve their highest academic, professional and life goals regardless of race/ethnicity, disability, economic status, or native language. Florida prioritizes the performance of all students while also closing the achievement gap through the implementation of system-level strategies and by measuring and tracking key performance metrics.

2. Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?
   Florida continues to increase achievement for all students, including students with disabilities, with the ultimate goal of eliminating the achievement gap and ensuring all students, regardless of disability status, are graduating with their cohort. The current graduation rate for Florida’s students with disabilities is 83.5 percent, which is an increase of 26.7 percent over the past seven years. Florida’s discretionary projects also provide continuous opportunities for educator professional learning.

3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?
   Florida will continue to utilize a data-driven approach, utilizing existing supports and services while increasing and improving statewide resources and training. Additionally, we will continue increasing collaboration between the SEA and LEAs by providing ongoing technical assistance and opportunities to collaborate.

4. What is your timeline, including targeted milestones, for addressing these identified barriers?
   Currently, Florida is trending towards closing the achievement gap, and we plan to continue this progress over the course of the 1-year grant cycle. Milestones will include monitoring data over the course of Florida’s survey reporting windows.
Notes:

1. Applicants are not required to have mission statements or policies that align with equity in order to submit an application.

2. Applicants may identify any barriers that may impede equitable access and participation in the proposed project or activity, including, but not limited to, barriers based on economic disadvantage, gender, race, ethnicity, color, national origin, disability, age, language, migrant status, rural status, homeless status or housing insecurity, pregnancy, parenting, or caregiving status, and sexual orientation.

3. Applicants may have already included some or all of this required information in the narrative sections of their applications or their State Plans. In responding to this requirement, for each question, applicants may provide a cross-reference to the section(s) and page number(s) in their applications or State Plans that includes the information responsive to that question on this form or may restate that information on this form.

Paperwork 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 1894-0005. Public reporting burden for this collection of information is estimated to average 3 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 a benefit. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this individual collection, send your comments to ICDocketMgr@ed.gov and reference OMB Control Number 1894-0005. All other comments or concerns regarding the status of your individual form may be addressed to either (a) the person listed in the FOR FURTHER INFORMATION CONTACT section in the competition Notice Inviting Applications, or (b) your assigned program officer.