

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, DC 20202-2800**

**INFORMATION MEMORANDUM
RSA-IM-06-07
DATE: May 15, 2006**

- ADDRESSEES:** STATEWIDE ASSISTIVE TECHNOLOGY PROGRAMS
- SUBJECT:** Fiscal Year 2006 Updates and Amendments to the State Plan for Assistive Technology (State Plan for AT)
- BACKGROUND:** This Information Memorandum (IM) provides guidance about the required fiscal year (FY) 2006 annual updates and amendments for the State Plan governing the State Grant for AT Program under Section 4 of the Assistive Technology Act of 1998, as amended (AT Act). It also addresses how a state can make updates and amendments to its State Plan for AT to ensure that its plan reflects the current administration of the State Grant for AT program.
- POLICY:** State Plan updates and amendments are to be submitted to RSA by **August 1, 2006**. If a state determines that its State Plan needs to be updated or amended, these amendments must be submitted to RSA for review in sufficient time prior to the date of their implementation so as to provide RSA staff the opportunity to review the proposed changes and negotiate any needed modifications.
- DISCUSSION:** The state is not required to submit any updates or amendments related to its State Plan that have been previously approved and demonstrate that the state currently meets the requirements of Section 4 of the AT Act. It is the responsibility of the state to determine which previously submitted State Plan attachments meet or do not meet these requirements. If the state determines that an approved State Plan attachment no longer reflects the state's current administration of its Statewide AT Program, then the state plan must be amended accordingly.
- You should pay particular attention to Attachments 5 and 8 related to state-level and state leadership activities. These attachments are very important since they reflect appropriate implementation of the AT Act in a statewide and comprehensive manner and, as such, provide important information for performance monitoring.

If, anywhere in Attachments 5 or 8, you included a plan for developing activities or made the statement that you would update your plan, you should consider amending or updating your plan. For example, in Attachment 5, if you proposed a feasibility study of state financing, it is likely that the State Plan you originally submitted no longer reflects your current administration of the AT Act. You should update your plan to include a description of the method of this study, the results of the study, and your plan based on this study. As another example, in Attachment 8, if you proposed to develop new modules to address the requirement to provide training and technical assistance around transition, you should update your State Plan to include a description of your progress in the development of those modules.

If you need technical assistance in identifying those areas of your State Plan that are appropriate to update or amend, please contact Nell Bailey at the Rehabilitation Engineering and Assistive Technology Society of North America at (703) 524-6686 or nbailey@resna.org

In addition to those areas that must be amended or updated as necessary, the State Plan for AT Instructions required the submission of updates to selected attachments. These required updates include: Attachment 4: Measurable Goals; Attachment 6: Comparable Support, if applicable; and Attachment 11: Allocation and Utilization of Funds.

For Attachment 4: Measurable Goals, all states were required to state that they would collect baseline data during year one of their plan. However, because a data collection instrument to establish this baseline has been delayed, you have not been able to do collect this data. Therefore, you should amend your plan to state that a data collection system was not available to establish a baseline but you will establish a baseline during year two of your State Plan.

For Attachment 6: Comparable Support, if you chose not to conduct an activity because comparable support for that activity exists in your state, you must confirm that comparable support for this activity will continue during year two of your plan.

For Attachment 11: Allocation and Utilization of Funds, you must provide a budget that reflects your FY 2006 allocation.

RSA will be carefully reviewing the annual updates and any amendments to the State Plan to ensure that they conform to all of the legally required content requirements for each update and amendment.

Assurances and Certification

In addition to the updating or amending of State Plan attachments, a certification regarding lobbying is required. The certification form (ED-80-0013) is available at: <http://www.ed.gov/programs/8002/assurancesed800013.doc>. You do not need to resubmit the other assurances or certifications included in your State Plan.

Procedures for Submitting the Annual Updates or Amendments

The FY 2006 annual updates and any State Plan amendment to the State Plan for AT can be submitted to RSA either electronically or in hardcopy. Though you need only change those attachments you are updating or amending, please submit the full State Plan including all attachments, even those that have not been changed. Please also provide a transmittal letter signed by your certifying representative describing the updates or amendments contained in the State Plan for AT.

Electronic Transmission Options

- (1) States are strongly encouraged to submit their State Plan materials to RSA electronically. If a state chooses this option, the submission must be in Microsoft Word. Please ensure that this file is accessible, as RSA will continue to post all State Plans on the Department of Education's Web site. The address for the submission of the State Plan materials is: Jeremy.Buzzell@ed.gov.
- (2) States can also submit the plan on a CD-ROM. If a state chooses this option, the submission must be in Microsoft Word. Please ensure that this file is accessible, as RSA will continue to post all State Plans on the Department of Education's Web site.
- (3) If the plan submitted either through the Internet or a CD-ROM does not include the signature of the state official authorized to submit the plan, the state must submit to RSA a separate hardcopy of the transmittal letter signed by the state official authorized to submit the plan. States should submit hardcopies of these pages to one of the two addresses specified below, depending on whether the pages are being sent via regular mail or overnight mail.

Hardcopy Transmission

In lieu of an electronic submission of the State Plan materials, a state can submit the original and two copies of the materials together with a transmittal letter signed by the state official authorized to submit the plan. The materials can be addressed to the following addresses either through regular mail or overnight mail.

Materials sent through regular mail can be addressed as follows:

United States Department of Education
Office of Special Education and Rehabilitative Services
Attention: Jeremy Buzzell
400 Maryland Avenue, S.W., PCP Room 5025
Washington, D.C. 20202-2800

Materials sent by overnight mail should be sent to the following address:

United States Department of Education
Attention: Jeremy Buzzell
Mail Stop 2800
PCP Room 5025
7100 Old Landover Road
Landover, MD 20785-1605

CITATIONS IN LAW: Section 4 of the Assistive Technology Act of 1998, as amended.

CITATIONS IN REGULATIONS: 34 CFR parts 74, 76, 77, 78, 79, 80, 81, 82, and 85.

EFFECTIVE DATE: Upon Issuance

EXPIRATION DATE: September 30, 2006.

INQUIRIES: Jeremy Buzzell. (202) 245-7319. Jeremy.Buzzell@ed.gov

Edward Anthony, Ph.D.
Delegated the authority to perform
the functions of the Commissioner for
Rehabilitation Services Administration

cc: RESNA Rehabilitation Engineering and Assistive Technology Society of North America
ATAP Association of Assistive Technology Act Programs

OMB Number: 1820-0664
Expiration Date: 10/31/2008