

Wisconsin Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and its FFY 2007 target and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 79.20%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State did not meet its revised FFY 2007 target of 80%.</p> <p>The State provided a narrative that describes the conditions youth must meet to graduate with a regular diploma.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR). In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR, due February 1, 2011.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2007 reported data for this indicator are 2.59%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State did not meet its FFY 2007 target of $\leq 1.672\%$.</p> <p>The State provided a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.</p> <p>The State reported the required dropout rate calculation and timeline established by the department under the ESEA. This means that the State submitted the most recent dropout data that the State reported to the Department as part of its CSPR. In its APR submitted February 1, 2010, the State reported FFY 2007 data for this indicator.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
<p>3. Participation and performance</p>	<p>The State revised the improvement activities for this indicator and OSEP</p>	<p>OSEP appreciates the State's efforts to</p>

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<p>of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 92% for reading and 96% for math. These data represent slippage from the FFY 2007 data of 94% for reading and progress from the FFY 2007 data of 94% for math. The State met its FFY 2008 targets of 80% for reading and math.</p>	<p>improve performance.</p>																																																															
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are:</p> <table border="1" data-bbox="550 729 1419 1182"> <thead> <tr> <th>Grade</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> </tr> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> </thead> <tbody> <tr> <td>3</td> <td>98.30%</td> <td>98.96%</td> <td>95.00%</td> <td>99.14%</td> <td>99.52%</td> <td>95.00%</td> </tr> <tr> <td>4</td> <td>98.19%</td> <td>99.04%</td> <td>95.00%</td> <td>98.68%</td> <td>99.42%</td> <td>95.00%</td> </tr> <tr> <td>5</td> <td>98.81%</td> <td>99.25%</td> <td>95.00%</td> <td>98.97%</td> <td>99.42%</td> <td>95.00%</td> </tr> <tr> <td>6</td> <td>98.68%</td> <td>99.20%</td> <td>95.00%</td> <td>98.69%</td> <td>99.44%</td> <td>95.00%</td> </tr> <tr> <td>7</td> <td>98.55%</td> <td>99.21%</td> <td>95.00%</td> <td>98.57%</td> <td>99.42%</td> <td>95.00%</td> </tr> <tr> <td>8</td> <td>98.17%</td> <td>99.01%</td> <td>95.00%</td> <td>98.08%</td> <td>99.30%</td> <td>95.00%</td> </tr> <tr> <td>HS</td> <td>96.00%</td> <td>97.40%</td> <td>95.00%</td> <td>95.96%</td> <td>97.44%</td> <td>95.00%</td> </tr> </tbody> </table> <p>The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from FFY 2007 data. The State met its FFY 2008 targets.</p> <p>The State provided a web link to 2008 publicly-reported assessment results: http://dpi.wi.gov/sig/index.html and http://dpi.wi.gov/oea/wkce.html.</p>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3	98.30%	98.96%	95.00%	99.14%	99.52%	95.00%	4	98.19%	99.04%	95.00%	98.68%	99.42%	95.00%	5	98.81%	99.25%	95.00%	98.97%	99.42%	95.00%	6	98.68%	99.20%	95.00%	98.69%	99.44%	95.00%	7	98.55%	99.21%	95.00%	98.57%	99.42%	95.00%	8	98.17%	99.01%	95.00%	98.08%	99.30%	95.00%	HS	96.00%	97.40%	95.00%	95.96%	97.44%	95.00%	<p>OSEP appreciates the State’s efforts to improve performance.</p>
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<p>statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are:</p> <table border="1" data-bbox="550 331 1419 781"> <thead> <tr> <th>Grade</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="3">Reading</td> <td colspan="3">Math</td> </tr> <tr> <td>3</td> <td>51.47%</td> <td>50.85%</td> <td>74.00%</td> <td>53.90%</td> <td>55.40%</td> <td>58.00%</td> </tr> <tr> <td>4</td> <td>50.20%</td> <td>51.43%</td> <td>74.00%</td> <td>51.72%</td> <td>58.88%</td> <td>58.00%</td> </tr> <tr> <td>5</td> <td>52.60%</td> <td>47.59%</td> <td>74.00%</td> <td>46.66%</td> <td>51.10%</td> <td>58.00%</td> </tr> <tr> <td>6</td> <td>50.95%</td> <td>48.07%</td> <td>74.00%</td> <td>41.07%</td> <td>43.12%</td> <td>58.00%</td> </tr> <tr> <td>7</td> <td>49.53%</td> <td>51.67%</td> <td>74.00%</td> <td>40.62%</td> <td>42.81%</td> <td>58.00%</td> </tr> <tr> <td>8</td> <td>46.97%</td> <td>50.48%</td> <td>74.00%</td> <td>36.73%</td> <td>43.02%</td> <td>58.00%</td> </tr> <tr> <td>HS</td> <td>31.82%</td> <td>35.84%</td> <td>74.00%</td> <td>25.79%</td> <td>29.25%</td> <td>58.00%</td> </tr> </tbody> </table> <p>The data source for this indicator has changed. Therefore, OSEP cannot determine progress or slippage from FFY 2007 data. The State met part of its FFY 2008 targets.</p> <p>The State provided a web link to 2008 publicly-reported assessment results: http://dpi.wi.gov/sig/index.html and http://dpi.wi.gov/oea/wkce.html.</p>	Grade	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target		Reading			Math			3	51.47%	50.85%	74.00%	53.90%	55.40%	58.00%	4	50.20%	51.43%	74.00%	51.72%	58.88%	58.00%	5	52.60%	47.59%	74.00%	46.66%	51.10%	58.00%	6	50.95%	48.07%	74.00%	41.07%	43.12%	58.00%	7	49.53%	51.67%	74.00%	40.62%	42.81%	58.00%	8	46.97%	50.48%	74.00%	36.73%	43.02%	58.00%	HS	31.82%	35.84%	74.00%	25.79%	29.25%	58.00%	<p>the State's data demonstrating improvement in performance in the FFY 2009 APR.</p>
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<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 0.68%. Because the State's actual target data for this indicator are from the same year as the data reported for this indicator in the State's FFY 2007 APR, OSEP cannot comment on whether there is progress or slippage. The State met its FFY 2007 target of $\leq 2.96\%$.</p> <p>The State reported its definition of "significant discrepancy."</p> <p>The State reported that it reviewed the LEA's policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies for FFY 2007.</p> <p>The State reported that it revised (or required the affected LEAs to revise), the</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>																																																															

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	LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b) for the LEAs identified with significant discrepancies for FFY 2007.											
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator; New for FFY 2009]</p>	The State is not required to report on this indicator in the FFY 2008 APR.	Indicator 4B is new for FFY 2009. Baseline data from 2008-2009, targets (0%), and improvement activities must be submitted with the FFY 2009 APR.										
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State revised the indicator language and measurement language (consistent with revisions in the Indicator Measurement Table) and improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="548 1268 1467 1414"> <thead> <tr> <th></th> <th>FFY 2007 Data</th> <th>FFY 2008 Data</th> <th>FFY 2008 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress						OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2009 APR.
	FFY 2007 Data	FFY 2008 Data	FFY 2008 Target	Progress								

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	A. % Inside the regular class 80% or more of the day	53.57	54.74	55.0	1.17%	
	B. % Inside the regular class less than 40% of the day	11.24	11.20	10.6	0.04%	
	C. % In separate schools, residential facilities, or homebound/hospital placements	1.26	1.25	1.10	0.01%	
	These data represent progress from the FFY 2007 data. The State did not meet any of its FFY 2008 targets for this indicator.					
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	The State is not required to report on this indicator in the FFY 2008 APR.					The instruction package for the FFY 2009 APR/SPP will provide guidance regarding the information that States must report for this indicator in their FFY 2009 APRs.
<p>7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State provided FFY 2008 baseline data, targets, and improvement activities for this indicator and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s reported progress data for this indicator are:</p>					The State must report progress data and actual target data for FFY 2009 with the FFY 2009 APR.

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues			OSEP Analysis/Next Steps
[Results Indicator]	08-09 Preschool Outcome Baseline Data	<u>Summary Statement 1</u> ¹	<u>Summary Statement 2</u> ²	
	Outcome A: Positive social-emotional skills (including social relationships) (%)	79.00	69.5	
	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	81.9	61.7	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	81.8	80.3	
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. [Results Indicator]	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 72.77%. The FFY 2007 data were 73.41%. The State did not meet its FFY 2008 target of 79.9% for this indicator.</p> <p>In its description of its FFY 2008 data, the State addressed whether the response group was representative of the population.</p>			OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2009 APR.
9. Percent of districts with disproportionate representation of racial and ethnic groups in special	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 0%. These data</p>			<p>OSEP appreciates the State's efforts regarding this indicator.</p> <p>OSEP will be carefully reviewing each</p>

¹ Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned six years of age or exited the program.

² Summary Statement 2: The percentage of preschool children who were functioning within age expectations in each Outcome by the time they turned six years of age or exited the program.

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<p>education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>remain unchanged from the FFY 2007 data of 0%. The State met its FFY 2008 target of 0%.</p> <p>The State reported that seven districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of disproportionate representation.</p>	<p>State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 0.22%. These data represent slippage from the FFY 2007 data of 0%. The State did not meet its FFY 2008 target of 0%.</p> <p>The State reported that 87 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that one district was identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of disproportionate representation.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing, in the FFY 2009 APR, the State's data demonstrating compliance. Because the State reported less than 100% compliance for FFY 2008 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2009 APR, that the district identified in FFY 2008 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements of 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that the district with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data</p>

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		<p>system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate compliance with those requirements in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance.</p> <p>OSEP will be carefully reviewing each State's definition of disproportionate representation and will contact the State if there are questions or concerns.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 98.39%. These data represent progress from the FFY 2007 data of 98.20%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner and that: (1) each LEA with noncompliance is correctly implementing the regulatory requirement; (2) it verified each district has completed the initial evaluations, although late and considered if compensatory services were required; and (3) it reviews the self-assessment and post self-assessment data, including the review of IEPs. The State did not provide the number of FFY 2007 findings for this indicator.</p> <p>However, OSEP's March 10, 2010 verification letter found that the following State practices were inconsistent with IDEA and OSEP Memo 09-02: (1)</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR the State's data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. In reporting on the correction of FFY 2008 findings of noncompliance in the FFY 2009 APR, the State must provide the number of findings of noncompliance identified in FFY 2008 for this indicator.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the</p>

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	<p>determining timely correction for student-level noncompliance for Indicator 11 based solely on whether a child subsequently received a required benefit, without also determining whether the LEA is currently in compliance with regard to the specific regulatory requirement; (2) verifying student-level correction even when WDPI is aware that one out of two of the files that it has selected contains information demonstrating that the noncompliance has not been corrected; and (3) verifying agency-level noncompliance by only reviewing files that the LEA has self-selected. Therefore, the State has not demonstrated that it corrected the noncompliance. In its FFY 2008 APR, the State described the revised procedures that it began, subsequent to the verification visit, to verify the correction of FFY 2008 and future findings of noncompliance.</p>	<p>State must review its improvement activities and revise them if necessary.</p> <p>In the FFY 2009 APR, the State must report the number of FFY 2007 findings for this indicator, and demonstrate that each of those findings was corrected.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator and each of the LEAs with noncompliance identified in FFY 2007: (1) are correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) have completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State revised the measurement language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 96.78%. These data represent progress from the FFY 2007 data of 89%. The State did not meet its FFY 2008 target of 100%.</p> <p>The State reported that all of its findings of noncompliance identified in FFY</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2009 APR the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2008, the State must report on the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>2007 for this indicator were corrected in a timely manner. The State did not provide the number of FFY 2007 findings for this indicator.</p>	<p>status of correction of noncompliance reflected in the data the State reported for this indicator. In reporting on the correction of FFY 2008 findings of noncompliance in the FFY 2009 APR, the State must provide the number of findings of noncompliance identified in FFY 2008 for this indicator.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>When reporting the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2008 data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2009 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable</p>	<p>The State is not required to provide actual target data for FFY 2008 for this indicator. However, the State reported that it made 65 findings of noncompliance in FFY 2008.</p>	<p>In the FFY 2009 APR, the State must provide a revised baseline using data from 2009-2010. Targets must remain 100%.</p>

Wisconsin Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>	<p>The State reported that all of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner and that: (1) each LEA with noncompliance is correctly implementing the regulatory requirement; and (2) it verified each district has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district. However, OSEP’s March 10, 2010 verification letter found that the following State practices were inconsistent with IDEA and OSEP Memo 09-02: (1) determining timely correction for student-level noncompliance for Indicator 13 based solely on whether a child subsequently received a required benefit, without also determining whether the LEA is currently in compliance with regard to the specific regulatory requirement; (2) verifying student-level correction even when WDPI is aware that one out of two of the files that it has selected contains information demonstrating that the noncompliance has not been corrected; and (3) verifying agency-level noncompliance by only reviewing files that the LEA has self-selected. Therefore, the State has not demonstrated that it corrected the noncompliance. In its FFY 2008 APR, the State described the revised procedures that it began, subsequent to the verification visit, to verify the correction of FFY 2008 and future findings of noncompliance.</p> <p>The State did not provide the number of FFY 2007 findings for this indicator.</p>	<p>In the FFY 2009 APR, the State must report the number of FFY 2007 findings for this indicator, and demonstrate that each of those findings was corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2009 APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2007 and FFY 2008: (1) is correctly implementing 34 CFR §300.320(b) (and for findings of noncompliance identified in FFY 2008, 34 CFR §§300.320(b) and 300.321(b)) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. The State must describe the specific actions that were taken to verify the correction.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State’s FFY 2008 reported data for this indicator are 70.4%. These data represent progress from the FFY 2007 data of 69%. The State met its FFY 2008 target of 66.5%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p> <p>In the FFY 2009 APR, the State must report a new baseline, targets, and, as needed, improvement activities.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and</p>	<p>The State’s FFY 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in timely correcting noncompliance identified in FFY 2007.</p>

Wisconsin Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State reported that all 1,538 of its findings of noncompliance identified in FFY 2007 for this indicator were corrected in a timely manner. However, OSEP’s March 10, 2010 verification letter found that the following State practices of verifying correction of noncompliance are inconsistent with the Individuals with Disabilities Education Act (IDEA), and OSEP Memo 09-02: (1) determining timely correction for student-level noncompliance for Indicators 11 and 13 based solely on whether a child subsequently received a required benefit, without also determining whether the LEA is currently in compliance with regard to the specific regulatory requirement; (2) verifying student-level correction even when WDPI is aware that one out of two of the files that it has selected contains information demonstrating that the noncompliance has not been corrected; and (3) verifying agency-level noncompliance by only reviewing files that the LEA has self-selected.</p> <p>OSEP’s March 10, 2010 verification letter required the State to, within 60 days from the date of OSEP’s letter, provide to OSEP written documentation demonstrating that it has revised its policies and procedures for determining timely correction of noncompliance, so that it determines that a finding of noncompliance has been corrected only if the LEA has both:</p> <ol style="list-style-type: none"> 1. Correctly implemented the specific regulatory requirements; and 2. Corrected each individual case of student-specific noncompliance (although late for timeline requirements) and verifies correction consistent with sections 612(a)(11) and 616 of the IDEA, 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E), and with OSEP Memo 09-02. <p>In its April 15, 2010 response to OSEP, the State provided its revised policies and procedures for determining timely correction of noncompliance.</p> <p>OSEP’s March 10, 2010 verification letter also found that the State was not monitoring LEAs’ compliance with the resolution meeting requirements in 34 CFR §300.510, consistent with sections 612(a)(11) and 616 of the IDEA, 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E). OSEP’s letter required the State to provide, within 60 days from the date of OSEP’s verification letter:</p> <ol style="list-style-type: none"> 1. Documentation demonstrating the State monitors LEAs’ compliance with the resolution meeting requirements in 34 CFR §300.510; and 	<p>Although the State did not report for this indicator that it verified correction of noncompliance identified in FFY 2007 consistent with the OSEP Memo 09-02, OSEP accepted the data for this indicator this year because this indicator measures timely correction of noncompliance and OSEP Memo 09-02 was issued after the beginning of the FFY 2008 correction period.</p> <p>In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with sections 612(a)(11) and 616 of the IDEA, 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E), and with OSEP Memo 09-02.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2009 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 10, 11, 12, and 13 in the FFY 2009 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>

Wisconsin Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>2. A copy of the memorandum to be issued to all hearing officers, LEAs, parent advocacy groups and other interested parties advising them of the Part B regulations in 34 CFR §300.510.</p> <p>The State provided the required documentation and copy of a memorandum with its April 15, 2010 response letter to OSEP.</p>	<p>With respect to the State’s revised policies and procedures for determining timely correction of noncompliance, OSEP has determined that they are consistent with sections 612(a)(11) and 616 of the IDEA, 34 CFR §§300.149 and 300.600, and 20 U.S.C. 1232d(b)(3)(E), and with OSEP Memo 09-02. In the FFY 2009 APR, the State must confirm that it has implemented its revised policies and procedures for determining timely correction of noncompliance, as submitted with the State’s April 15, 2010 response to OSEP’s verification letter.</p> <p>OSEP will respond to the State by separate cover regarding the State’s April 15, 2010 submission addressing the resolution meeting requirements in 34 CFR §300.510.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2008 reported data for this indicator are 98.31%. These data represent slippage from the FFY 2007 data of 100%. The State did not meet its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2009 APR, the State’s data demonstrating that it is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p> <p>If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day</p>	<p>The State revised the indicator language (consistent with revisions in the Indicator Measurement Table) for this indicator and OSEP accepts those revisions.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR</p>

Wisconsin Part B FFY 2008 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 100%. These data are based on three due process hearings. The State met its FFY 2008 target of 100%.</p>	<p>§300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 60%. These data represent slippage from the FFY 2007 data of 76%. The State met its FFY 2008 target of 53%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2008 reported data for this indicator are 92.59%. These data represent progress from the FFY 2007 data of 92%. The State met its FFY 2008 target of at least 78%.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2009 APR.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2008 reported data for this indicator are 100%. These data remain unchanged from the FFY 2007 data of 100%. The State met its FFY 2008 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2009 APR, the State must use the Indicator 20 Data Rubric.</p>