

Wyoming Part B FFY 2009 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 66.29%. These data represent progress from the FFY 2008 data of 59.72%. The State met its FFY 2009 target of 49.5%.</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).</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 5.52%. These data represent progress from the FFY 2008 data of 7.08%. The State met its FFY 2009 target of 13.4%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: 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. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State did not provide any data for this indicator. The Department's Office of Elementary and Secondary Education (OESE) issued a letter on November 16, 2010 granting the State's request to waive certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1963 (ESEA) as amended. Specifically, the waiver related to requirements to assess all students annually in grades three through eight and once in high school in reading/language arts and mathematics and in three grade spans in science, and to use the results of the reading/language arts and mathematics assessments to make adequate yearly progress (AYP) determinations for schools and districts. The WDE requested the waiver because a systemic malfunction of its new online assessment system prevented the State from collecting valid statewide assessment data for the 2009-2010 school year.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

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	<p>In the November 16, 2010 letter, OSEP encouraged the WDE to provide in its FFY 2009 APR, due February 1, 2011, any available valid and reliable FFY 2009 (2009-2010) assessment data for children with disabilities, including data from its alternate assessment (the PAWS-ALT), an explanation of the circumstances regarding the lack of complete FFY 2009 data, and the steps being taken to ensure the State can collect the required data in school year 2010-2011. Since the WDE indicated that the school year 2009-2010 administration of the PAWS-ALT was not affected, OSEP requested that those data be reported in their entirety. The State reported all the requested information.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State did not provide complete data for this indicator (see explanation above for Indicator 3A). The State's reported PAWS-ALT data for this indicator are 100% for reading and 100% for math.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with disabilities on 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>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State did not provide complete data for this indicator (see explanation above for Indicator 3A).</p> <p>The State's reported PAWS-ALT data for this indicator are 57.9% for elementary reading, 57.6% for middle school reading, 55.1% for high school reading, 51.6% for elementary math, 59.9% for middle school math and 58.3% for high school math.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<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>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported its definition of "significant discrepancy."</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>In the FFY 2010 APR, due February 1, 2012, the State must report the number of LEAs that did not meet the State-established minimum "n" size requirement.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps															
[Results Indicator]	The State did not report the number of LEAs that did not meet the State-established minimum “n” size requirement of at least two students suspended or expelled for more than ten days, but reported that no LEAs were excluded from the analysis.																
<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]</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator and OSEP accepts the State’s submission of this indicator.</p> <p>The State’s FFY 2009 reported baseline data for this indicator are 0%. The State reported that no districts were identified with having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that 48 of 48 districts did not meet the State-established minimum “n” size requirement of “suspending/expelling at least ten students in the target group and the comparison group,” but reported all districts were included in the analysis. The State reported that only 86 students were suspended/expelled for more than ten days in the entire State during FFY 2008.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p> <p>OSEP will be carefully reviewing each State’s methodology for identifying “significant discrepancy” and will contact the State if there are questions or concerns.</p>															
<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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 1230 1583 1485"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">60.5</td> <td align="center">60.59</td> <td align="center">57.5</td> <td align="center">0.09%</td> </tr> <tr> <td>B. % Inside the regular class less</td> <td align="center">8.38</td> <td align="center">8.24</td> <td align="center">9.39</td> <td align="center">0.14%</td> </tr> </tbody> </table>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	60.5	60.59	57.5	0.09%	B. % Inside the regular class less	8.38	8.24	9.39	0.14%	<p>OSEP appreciates the State’s efforts to improve performance.</p>
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>													
A. % Inside the regular class 80% or more of the day	60.5	60.59	57.5	0.09%													
B. % Inside the regular class less	8.38	8.24	9.39	0.14%													

Wyoming Part B FFY 2009 SPP/APR Response Table

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	than 40% of the day													
	C. % In separate schools, residential facilities, or homebound/hospital placements	1.23	1.39	2.42	-0.16%									
	<p>These data represent progress for 5A and 5B and slippage for 5C from the FFY 2008 data. The State met all its FFY 2009 targets for this indicator.</p> <p>The State's reported data for Indicator 5C are not the same as the State's 618 data reported in Table three. The State provided an explanation.</p>													
<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>	<p>The State is not required to report on this indicator in the FFY 2009 APR.</p>					<p>The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>								
<p>7. Percent of preschool children age 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 1317 1583 1521"> <thead> <tr> <th data-bbox="548 1317 957 1422"><u>Summary Statement 1</u></th> <th data-bbox="957 1317 1163 1422"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1317 1373 1422"><u>FFY 2009 Data</u></th> <th data-bbox="1373 1317 1583 1422"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1422 957 1521">Outcome A: Positive social-emotional skills (including social relationships)</td> <td data-bbox="957 1422 1163 1521">60.68</td> <td data-bbox="1163 1422 1373 1521">69.72</td> <td data-bbox="1373 1422 1583 1521">60.68</td> </tr> </tbody> </table>					<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships)	60.68	69.72	60.68	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>											
Outcome A: Positive social-emotional skills (including social relationships)	60.68	69.72	60.68											

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<p>[Results Indicator]</p>	(%)				
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	61.12	67.13	61.12	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	63.81	73.07	63.81	
	<p align="center"><u>Summary Statement 2</u></p>	<p align="center"><u>FFY 2008 Data</u></p>	<p align="center"><u>FFY 2009 Data</u></p>	<p align="center"><u>FFY 2009 Target</u></p>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	56.87	63.00	56.87	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	54.77	56.60	54.77	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	67.05	71.26	67.05	
	<p>These data represent progress from the FFY 2008 data. The State met its FFY 2009 targets.</p>				
<p>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.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for school age children for this indicator are 73.5%. These data represent progress from the FFY 2008 data of 68.8% for school age programs. The State met its FFY 2009 target of 54.55% for school age programs.</p> <p>The State's FFY 2009 reported data for preschool aged children for this indicator are</p>				<p>OSEP appreciates the State's efforts to improve performance.</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

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	<p>79.5%. These data represent progress from the FFY 2008 data of 78.5%. The State met its FFY 2009 target of 73.2% for preschool age programs.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population for both school age programs and preschool programs parent surveys.</p>	
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that two 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>The State reported that one of 48 districts did not meet the State-established minimum "n" size requirement of ten students in the racial/ethnic group, but all districts were included in the analysis.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data remain unchanged from the FFY 2008 data of 0%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that two districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were 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>The State reported that three of 48 districts did not meet the State-established minimum "n" size requirement of ten students in the disability category for each racial/ethnic group, but all districts were included in the analysis.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

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<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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 96.7% for school age children and 98.2% for preschool children. In order to be consistent with the required measurement, which does not permit a separate calculation for school aged and preschool children, OSEP recalculated the data to be 97.3%. These data represent progress from the FFY 2008 data of 91.1%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 353 findings of noncompliance identified in FFY 2008 (188 findings in school age programs and 165 findings in preschool programs¹) were corrected in a timely manner. The State reported that the one remaining uncorrected FFY 2007 finding of noncompliance for this indicator was corrected.</p> <p>However, OSEP's March 3, 2011 verification letter found that the State was unable to demonstrate when verifying previously identified noncompliance was corrected, that the State verified: (1) each LEA was correctly implementing the specific regulatory requirement only if it achieved 100% compliance with the requirement based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) each CDC: (i) was correctly implementing the specific regulatory requirements (i.e., has achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or the State's data system; and (ii) had corrected the identified noncompliance for each child, unless the child was no longer within the jurisdiction of the CDC. Therefore, the State has not demonstrated that it has corrected the noncompliance.</p> <p>OSEP's March 3, 2011 verification letter required the State to include with its clarification response to OSEP's FFY 2009 Wyoming Part B SPP/APR Status Table, a description regarding the extent to which the State verified correction of the one remaining finding of noncompliance identified in FFY 2007 and the 353 findings of noncompliance identified in FFY 2008 under Indicator 11 in LEAs and in preschool programs operated by the DDD by ensuring that each LEA or CDC: (1) is correctly</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, 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 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate in the FFY 2010 APR that the remaining 353 uncorrected noncompliance findings identified in FFY 2008 and the one remaining noncompliance finding identified in FFY 2007 were corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator and each LEA or CDC with remaining</p>

¹ There are 48 LEAs in Wyoming that provide special education and related services to eligible children with disabilities ages six through 21 and five-year-old children enrolled in kindergarten. Wyoming assigns the Division of Developmental Disabilities (DDD), within the Department of Health, responsibility for ensuring that children with disabilities ages three through four, and five-year-old children not enrolled in kindergarten, are provided special education and related services. The DDD contracts with 14 regional child development centers (CDCs) to provide special education and related services to eligible preschool children with disabilities ages three through five.

Wyoming Part B FFY 2009 SPP/APR Response Table

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	<p>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 noncompliance for each child, unless the child is no longer within the jurisdiction of the LEA or CDC. The State did not submit the required information. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>noncompliance identified in FFY 2008 and the LEA or CDC with remaining noncompliance identified in FFY 2007: (1) is 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) has 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 or CDC, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>The State’s failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State’s general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2010 APR, that</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

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		it has corrected this noncompliance.
<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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 95%. These data represent progress from the FFY 2008 data of 91.4%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that one of five findings of noncompliance identified in FFY 2008 for this indicator was corrected in a timely manner, and the remaining four findings of noncompliance were subsequently corrected by April 18, 2011. OSEP’s March 3, 2011 verification letter found that the State was unable to demonstrate when verifying that previously identified noncompliance was corrected, the State verified each CDC: (1) was correctly implementing the specific regulatory requirements (i.e., has achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or the State’s data system; and (2) had corrected the identified noncompliance for each child, unless the child is no longer within the jurisdiction of the CDC.</p> <p>OSEP’s March 3, 2011 verification letter required the State to include with its clarification response to OSEP’s FFY 2009 Wyoming Part B SPP/APR Status Table, a description regarding the extent to which the State verified correction of the five findings of noncompliance identified in FFY 2008 under Indicator 12 in preschool programs operated by the DDD by ensuring that each CDC: (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 noncompliance for each child, unless the child is no longer within the jurisdiction of the CDC.</p> <p>The State reported in its clarification response to OSEP’s FFY 2009 Wyoming Part B SPP/APR Status Table that it verified that each CDC region with noncompliance identified in FFY 2008 corrected the noncompliance for each child, unless the child is no longer within the jurisdiction of the CDC. The State also reported that it required the DDD to submit an assurance that it has taken steps to ensure that each CDC region with noncompliance identified in FFY 2008 is correctly implementing the specific regulatory requirements regarding Part C to Part B transition and that the DDD has policies and procedures in place to ensure timely transition from Part C to Part B. However, the</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, 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 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.</p> <p>The State must demonstrate in the FFY 2010 APR that the remaining five uncorrected noncompliance findings identified in FFY 2008 were corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each CDC with noncompliance reflected in the data the State reported for this indicator and each CDC with remaining noncompliance identified in FFY 2008: (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</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

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	<p>State did not report that each CDC with noncompliance 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. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>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 CDC, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable 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</p>	<p>The State provided targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator.</p> <p>The State's FFY 2009 reported baseline data for this indicator are 56.4%.</p> <p>The State did not report on the one remaining finding of noncompliance identified in FFY 2007, as required in OSEP's FFY 2008 APR response table dated June 3, 2010. OSEP's March 3, 2011 verification letter required the State to include with its clarification response to OSEP's FFY 2009 Wyoming Part B SPP/APR Status Table, a description regarding the extent to which the State verified correction of the one remaining finding of noncompliance identified in FFY 2007 under Indicator 13 by ensuring that the LEA: (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 noncompliance for each child, unless the child is no longer within the jurisdiction of the LEA. The State did not submit the required information. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about Wyoming's very low FFY 2009 data (below 75%) for this indicator. In 2012, OSEP will consider States' FFY 2010 data for Indicator 13 in determinations.</p> <p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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>than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>The State must demonstrate in the FFY 2010 APR that the one remaining uncorrected noncompliance finding identified in FFY 2007 was corrected.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator and the LEA with the remaining finding of noncompliance identified in FFY 2007: (1) is correctly implementing 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 LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2010 APR, that it has corrected this noncompliance.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011 and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State's submission for this indicator.</p> <p>The State's reported FFY 2009 baseline data for this indicator are:</p> <p>A. 40% enrolled in higher education within one year of leaving high school;</p> <p>B. 61.5% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 72.3% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>	<p>The State must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 98.01%. These data represent progress from the FFY 2008 data of 97.5%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 444 of 453 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that four findings were subsequently corrected by April 18, 2011. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that both findings of noncompliance identified in FFY 2007 were corrected.</p> <p>The State reported that neither of the two findings of noncompliance identified in FFY 2006 was corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State did not report, as required by OSEP Memo 09-02 and the FFY 2008 response table, 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.</p> <p>OSEP's March 3, 2011 verification letter required the State to include with its clarification response to OSEP's FFY 2009 Wyoming Part B SPP/APR Status Table, a description regarding the extent to which the State verified correction of findings of noncompliance identified in FFY 2008 under Indicator 15 in LEAs and in preschool programs operated by the DDD by ensuring that each LEA or CDC: (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 noncompliance for each child, unless the child is no longer within the jurisdiction of the LEA or CDC. The State did not submit the required information.</p> <p>OSEP's March 3, 2011 verification letter required the State to provide within 90 days from the date of this letter:</p> <p>(a) An assurance that the State has revised all the tools it uses to monitor school aged</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the remaining five findings of noncompliance identified in FFY 2008 and the remaining two findings of noncompliance identified in FFY 2006 that were not reported as corrected in the FFY 2009 APR were corrected.</p> <p>The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision system. The State must take the steps necessary to ensure that it can report, in the FFY 2010 APR, that it has corrected this noncompliance.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA or CDC with noncompliance identified in FFY 2009: (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</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>programs and has issued statewide guidance to clarify that it will no longer use a threshold for correction of noncompliance and will verify that the LEA is correctly implementing the specific regulatory requirement only if it has achieved 100% compliance with the requirement based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system.</p> <p>(b) The procedures it develops to ensure that it has an effective general supervision system that is reasonably designed to ensure correction of identified noncompliance in a timely manner in the DDD and the preschool programs operated by the DDD. These procedures must include the steps the State is taking to ensure that: (1) it only considers a finding of noncompliance identified in a CDC to have been corrected if the CDC: (i) is correctly implementing the specific regulatory requirements (i.e., has achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or the State’s data system; and (ii) has corrected the identified noncompliance for each child, unless the child is no longer within the jurisdiction of the CDC; and (2) monitoring reports issued to CDCs clearly state that noncompliance must be corrected as soon as possible, but no later than one year after the State’s identification of the noncompliance, as required by 34 CFR §300.600(e).</p> <p>(c) Clarification that the State has the authority to exercise general supervision over the DDD and preschool programs operated by the DDD, including authority to take enforcement action against the DDD if it does not meet the IDEA requirements.</p> <p>OSEP will review and respond separately to the State’s June 3, 2011 submission.</p>	<p>within the jurisdiction of the LEA or CDC consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State does not report 100% compliance for this indicator in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p> <p>In reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In responding to Indicators 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In addition, the State must provide documentation, with its FFY 2010 APR, that it has implemented the procedures it develops to ensure that it has a general supervision system that is reasonably designed to ensure correction of identified noncompliance in a timely manner in the DDD and the preschool programs operated by the DDD.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the timely complaint</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>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's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day 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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data are based on one due process hearing. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State reported that no resolution sessions were held during the reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2009. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2010 APR, due February 1, 2012.</p>

Wyoming Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State reported that two of three mediations resulted in mediation agreements.</p> <p>The State reported fewer than ten mediation held in FFY 2009. The State is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediation were held.</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 provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 98.88%. However, OSEP recalculated the data for this indicator to be 92.15%. These date represent progress from the State's FFY 2008 data of 87.81%. The State did not meet its FFY 2009 target of 100%.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, the State must use the Indicator 20 Data Rubric.</p>