

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>																																			
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 62.89%. OSEP was unable to determine whether there was progress or slippage because the State changed the calculation methodology for this indicator. The State met its FFY 2010 target of 50%.</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>In reporting data for this indicator in the FFY 2011 APR, due February 1, 2013, States must use the same data they used for reporting to the Department under Title I of the ESEA, using the adjusted cohort graduation rate required under the ESEA.</p>																																			
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 7.33%. These data represent slippage from the FFY 2009 data of 5.52%. The State met its FFY 2010 target of 13.2%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>																																			
<p>3. Participation and performance 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. [Results Indicator]</p>	<p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="548 898 1583 1305"> <thead> <tr> <th><u>Grade</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td></td> <td align="center" colspan="3"><u>Reading</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td>ES</td> <td align="center">NA</td> <td align="center">56.8%</td> <td align="center">86%</td> <td align="center">NA</td> <td align="center">91.9%</td> <td align="center">86%</td> </tr> <tr> <td>MS</td> <td align="center">NA</td> <td align="center">25%</td> <td align="center">71%</td> <td align="center">NA</td> <td align="center">20%</td> <td align="center">75%</td> </tr> <tr> <td>HS</td> <td align="center">NA</td> <td align="center">0%</td> <td align="center">71%</td> <td align="center">NA</td> <td align="center">0%</td> <td align="center">60%</td> </tr> </tbody> </table> <p>The State did not provide any data for this indicator in FFY 2009. Because the State provided no data for this indicator in FFY 2009, OSEP could not determine whether there was progress or slippage. The State met part of its FFY 2010 targets.</p>	<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>		<u>Reading</u>			<u>Math</u>			ES	NA	56.8%	86%	NA	91.9%	86%	MS	NA	25%	71%	NA	20%	75%	HS	NA	0%	71%	NA	0%	60%	<p>OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.</p>
<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
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<p>3. Participation and performance of children with IEPs on statewide</p>	<p>The State’s reported data for this indicator are:</p>	<p>OSEP looks forward to the State’s data demonstrating</p>																																			

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues							OSEP Analysis/Next Steps
assessments: B. Participation rate for children with IEPs. [Results Indicator]	<b><u>Grade</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	improvement in performance in the FFY 2011 APR.  The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school levels with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities in regular assessments, who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels. Additionally, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards, at the district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.  Within 90 days of the receipt of this Response Table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34
		Reading			Math			
	ES	NA	98.9%	100%	NA	98.8%	100%	
	MS	NA	98.6%	100%	NA	98.5%	100%	
	HS	NA	97.2%	100%	NA	97.3%	100%	
	<p>The State did not provide any data for this indicator in FFY 2009. Because the State provided no data for this indicator in FFY 2009, OSEP could not determine whether there was progress or slippage. The State did not meet its FFY 2010 targets.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p>The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels. Additionally, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards, at the district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>							

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																																			
		CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2011 APR, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).																																			
<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's reported data for this indicator are:</p> <table border="1" data-bbox="548 548 1583 954"> <thead> <tr> <th><u>Grade</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td></td> <td align="center" colspan="3"><u>Reading</u></td> <td align="center" colspan="3"><u>Math</u></td> </tr> <tr> <td>ES</td> <td>NA</td> <td>43.1%</td> <td>53.6%</td> <td>NA</td> <td>58.5%</td> <td>49.2%</td> </tr> <tr> <td>MS</td> <td>NA</td> <td>31.8%</td> <td>56.33%</td> <td>NA</td> <td>32.3%</td> <td>50.2%</td> </tr> <tr> <td>HS</td> <td>NA</td> <td>33.5%</td> <td>65.6%</td> <td>NA</td> <td>25.6%</td> <td>57.2%</td> </tr> </tbody> </table> <p>The State did not provide any data for this indicator in FFY 2009. Because the State provided no data for this indicator in FFY 2009, OSEP could not determine whether there was progress or slippage. The State met part of its FFY 2010 targets.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p>The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on alternate assessments based on alternate academic achievement standards, at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>	<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>		<u>Reading</u>			<u>Math</u>			ES	NA	43.1%	53.6%	NA	58.5%	49.2%	MS	NA	31.8%	56.33%	NA	32.3%	50.2%	HS	NA	33.5%	65.6%	NA	25.6%	57.2%	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on alternate assessments based on alternate academic achievement standards, at the State, district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of</p>
<u>Grade</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
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		<p>this Response Table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2011 APR, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).</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>[Results Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 0%. OSEP was unable to determine whether there was progress or slippage because the State changed the calculation methodology for this indicator. The State met its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that no districts were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.</p> <p>The State reported that three of 49 districts, which did not have any students who were suspended or expelled for more than ten days, did not meet the State-established minimum “n” size requirement of 25 students with disabilities enrolled in the district.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>
<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</p>	<p>The State’s FFY 2010 reported data for this indicator are 0%. OSEP was unable to determine whether there was progress or slippage because the State changed the calculation methodology for this indicator. The State met its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that no districts were identified as 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 that five of 49 districts did not meet the State-established minimum “n” size requirement of 25 students in the denominator of the calculation for at least one race/ethnicity category.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator.</p>

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<p>requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. [Compliance Indicator]</p>																						
<p>5. Percent of children with IEPs aged 6 through 21 served: A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]</p>	<p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="552 565 1583 1105"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 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">60.59</td> <td align="center">62.27</td> <td align="center">58</td> <td align="center">1.68%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">8.24</td> <td align="center">7.6</td> <td align="center">9.3</td> <td align="center">0.64%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.39</td> <td align="center">1.07</td> <td align="center">2.41</td> <td align="center">0.32%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2009 data. The State met all of its FFY 2010 targets for this indicator. The State reported that the data reported in this indicator are not the same as the State’s 618 data reported in Table 3. The State provided an explanation.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	60.59	62.27	58	1.68%	B. % Inside the regular class less than 40% of the day	8.24	7.6	9.3	0.64%	C. % In separate schools, residential facilities, or homebound/hospital placements	1.39	1.07	2.41	0.32%	<p>OSEP appreciates the State’s efforts to improve performance.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	60.59	62.27	58	1.68%																		
B. % Inside the regular class less than 40% of the day	8.24	7.6	9.3	0.64%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	1.39	1.07	2.41	0.32%																		
<p>6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program;</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR.</p>	<p>The State must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits with the FFY 2011 APR.</p>																				

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and B. Separate special education class, separate school or residential facility. [Results Indicator; New]																										
7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]	The State's reported data for this indicator are: <table border="1" data-bbox="550 529 1583 1463"> <thead> <tr> <th data-bbox="550 529 959 631"><b><u>Summary Statement 1</u></b></th> <th data-bbox="959 529 1163 631"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1163 529 1373 631"><b><u>FFY 2010 Data</u></b></th> <th data-bbox="1373 529 1583 631"><b><u>FFY 2010 Target</u></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="550 631 959 813"> <b>Outcome A:</b>                              Positive social-emotional skills (including social relationships) (%)                         </td> <td align="center" data-bbox="959 631 1163 813">69.72</td> <td align="center" data-bbox="1163 631 1373 813">69.9</td> <td align="center" data-bbox="1373 631 1583 813">61.18</td> </tr> <tr> <td data-bbox="550 813 959 1029"> <b>Outcome B:</b>                              Acquisition and use of knowledge and skills (including early language/ communication) (%)                         </td> <td align="center" data-bbox="959 813 1163 1029">67.13</td> <td align="center" data-bbox="1163 813 1373 1029">74.02</td> <td align="center" data-bbox="1373 813 1583 1029">61.62</td> </tr> <tr> <td data-bbox="550 1029 959 1182"> <b>Outcome C:</b>                              Use of appropriate behaviors to meet their needs (%)                         </td> <td align="center" data-bbox="959 1029 1163 1182">73.07</td> <td align="center" data-bbox="1163 1029 1373 1182">75.31</td> <td align="center" data-bbox="1373 1029 1583 1182">64.31</td> </tr> <tr> <th data-bbox="550 1182 959 1281"><b><u>Summary Statement 2</u></b></th> <th data-bbox="959 1182 1163 1281"><b><u>FFY 2009 Data</u></b></th> <th data-bbox="1163 1182 1373 1281"><b><u>FFY 2010 Data</u></b></th> <th data-bbox="1373 1182 1583 1281"><b><u>FFY 2010 Target</u></b></th> </tr> <tr> <td data-bbox="550 1281 959 1463"> <b>Outcome A:</b>                              Positive social-emotional skills (including social relationships) (%)                         </td> <td align="center" data-bbox="959 1281 1163 1463">63</td> <td align="center" data-bbox="1163 1281 1373 1463">58.28</td> <td align="center" data-bbox="1373 1281 1583 1463">57.37</td> </tr> </tbody> </table>	<b><u>Summary Statement 1</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	69.72	69.9	61.18	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	67.13	74.02	61.62	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	73.07	75.31	64.31	<b><u>Summary Statement 2</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	63	58.28	57.37	OSEP appreciates the State's efforts to improve performance.  The State must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.
<b><u>Summary Statement 1</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>																							
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	69.72	69.9	61.18																							
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	67.13	74.02	61.62																							
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<b><u>Summary Statement 2</u></b>	<b><u>FFY 2009 Data</u></b>	<b><u>FFY 2010 Data</u></b>	<b><u>FFY 2010 Target</u></b>																							
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	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	56.6	55.98	55.27	
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	71.26	71.05	67.55	
	These data represent progress and slippage from the FFY 2009 data. The State met its FFY 2010 targets for this indicator.				
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]	The State’s FFY 2010 reported data for school age children for this indicator are 72.1%. These data represent slippage from the FFY 2009 data of 73.5%. The State met its FFY 2010 target of 56.55% for school age children.  The State’s FFY 2010 reported data for preschool age children for this indicator are 80.2%. These data represent progress from the FFY 2009 data of 79.5%. The State met its FFY 2010 target of 75.2% for preschool age children.  In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.				OSEP appreciates the State’s efforts to improve performance.
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.  [Compliance Indicator]	The State’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.  The State reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services.  The State provided its definition of “disproportionate representation.”  The State reported that all districts met the State-established minimum “n” size requirement of ten or more students in at least one group of interest.				OSEP appreciates the State’s efforts regarding this indicator.
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific	The State’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.  The State reported that three districts were identified with disproportionate				OSEP appreciates the State’s efforts regarding this indicator.

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<p>disability categories that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>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 or more students in at least one group of interest.</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. [Compliance Indicator]</p>	<p>The State’s FFY 2010 reported data for this indicator are 98.71%. These data represent progress from the FFY 2009 data of 97.3%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 101 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The State reported that 353 findings of noncompliance identified in FFY 2008 and one finding of noncompliance identified in FFY 2007 for this indicator were corrected.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2011 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (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,</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>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 Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2010 reported data for this indicator are 98%. These data represent progress from the FFY 2009 data of 95%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 21 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The State reported that five findings of noncompliance identified in FFY 2008 for this indicator were corrected.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>noncompliance identified in FFY 2010 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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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</p>	<p>The State's FFY 2010 reported data for this indicator are 80.39%. These data represent progress from the FFY 2009 data of 56.4%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 213 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p> <p>The State reported that one finding of noncompliance identified in FFY 2007 for this indicator was corrected.</p>	<p>The State must demonstrate, in the FFY 2011 APR, 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 than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>										
<p>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>indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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</p>	<p>The State’s reported data for this indicator are:</p> <table border="1" data-bbox="548 1349 1583 1516"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Enrolled in higher</td> <td align="center">40</td> <td align="center">50.6</td> <td align="center">40</td> <td align="center">10.60%</td> </tr> </tbody> </table>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher	40	50.6	40	10.60%	<p>OSEP appreciates the State’s efforts regarding this indicator.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>								
A. % Enrolled in higher	40	50.6	40	10.60%								

**Wyoming Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
<p>school;                      B. Enrolled in higher education or competitively employed within one year of leaving high school.                      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.                      [Results Indicator]</p>	education					
	B. % Enrolled in higher education or competitively employed	61.5	68.2	61.5	6.70%	
	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	72.3	77.3	72.3	5.00%	
	<p>These data represent progress from the FFY 2009 data. The State met all of its FFY 2010 targets for this indicator.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>					
<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.                      [Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 97.84%. The State's FFY 2009 data for this indicator were 98.01%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that 362 of 370 findings of noncompliance identified in FFY 2009 were corrected in a timely manner and that four findings were subsequently corrected by February 1, 2012. The State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State reported that one of five findings of noncompliance identified in FFY 2008 and both findings of noncompliance identified in FFY 2006 were corrected. For the uncorrected noncompliance identified in FFY 2008, the State reported on the actions it took to address the uncorrected noncompliance.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State</p>					<p>The State must demonstrate, in the FFY 2011 APR, that the remaining four findings of noncompliance identified in FFY 2009 and the remaining four findings of noncompliance identified in FFY 2008 that were not reported as corrected in the FFY 2010 APR were corrected. OSEP appreciates the State's efforts to ensure timely correction of findings of noncompliance identified in FFY 2009 and looks forward to reviewing in the FFY 2011 APR, the State's data demonstrating that the State timely corrected noncompliance</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	<p>took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</p>	<p>identified in FFY 2010 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02. OSEP is concerned about the State's failure to correct longstanding noncompliance from FFY 2008. The State must take the steps necessary to ensure that it can report, in the FFY 2011 APR that it has corrected the remaining four findings identified in FFY 2008. If the State cannot report in the FFY 2011 APR that this noncompliance has been corrected, the State must report in the FFY 2011 APR: (1) the specific nature of the noncompliance; (2) the State's explanation as to why the noncompliance has persisted; (3) the steps that the State has taken to ensure the correction of each finding of the remaining findings of noncompliance, and any new or different actions the State has taken, since the submission of its FFY 2010 APR, to ensure such correction; and (4) any new or different actions the State will take to ensure such correction.</p> <p>When reporting on correction of findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each LEA with noncompliance</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>identified in FFY 2010 and each LEA with remaining 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 within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2011 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 11, 12, and 13 in the FFY 2011 APR due February 1, 2013, the State must report on correction of the noncompliance described in this table under those indicators.</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</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on five complaints. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>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>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 reported, as of January 31, 2012, that it did not have any fully adjudicated due process hearings during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's FFY 2011 IDEA section 618 data.</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 reported, as of January 31, 2012, that no resolution sessions were held during the reporting period.</p> <p>The State reported fewer than ten resolution sessions held in FFY 2010. 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>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported, as of January 31, 2012, that no mediations were held during the reporting period.</p> <p>The State reported fewer than ten mediations held in FFY 2010. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<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’s FFY 2010 reported data for this indicator are 92.86%. These data represent progress from the FFY 2009 data of 92.15%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State was identified as being in need of assistance for two consecutive years based on the State’s FFY 2008 and FFY 2009 APRs, was advised of available technical assistance, and was required to report, with the FFY 2010 APR, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State reported on the technical assistance sources from which the State received assistance for this indicator and reported on the actions the State took as a result of that technical assistance.</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 2011 APR, 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 2011 APR, the State must use the Indicator 20 Data Rubric.</p>
<p>Additional Verification Issues</p>		
<p>GS-1: Identification of Noncompliance</p>	<p>OSEP’s March 3, 2011 verification letter and November 16, 2011 letter responding to the State’s submissions required the State to provide with its FFY 2010 APR, due February 1, 2012, a revised draft Memorandum Of Understanding (MOU) between the Wyoming Department of Education and the Behavioral Health Division, Early Intervention Education Program (BHD/EIEP)<sup>1</sup> that includes the content required by 34 CFR §300.154(a)(3).<sup>2</sup> In order to meet the content requirement in §300.154(a)(3), the revised MOU must include a mechanism for making a final determination if the Director of the Wyoming Department of Health and the Superintendent of Public Instruction are unable to reach agreement on how to resolve an interagency dispute. A State may meet this requirement in any way permitted under State law, including for a third party to review a dispute and render a decision if the Director of the Wyoming</p>	<p>The State must submit, within 30 days of the date of this notice, a revised MOU or a copy of a State statute or regulation or other appropriate written methods that meet the content requirement in 34 CFR §300.154(a)(3), as described in 34 CFR §300.154(c).</p>

<sup>1</sup> At the time of the verification visit, Section 619 was administered by the Division of Developmental Disabilities, within the Wyoming Department of Health (DDD). With the document submission on September 24, 2011, OSEP was informed that that, due to reorganization within the Department of Health, Section 619 is now administered by the Behavioral Health Division, Early Intervention Education Program (BHD/EIEP).

<sup>2</sup> In lieu of the interagency agreements outlined in the Required Actions/Next Steps, WDE could have met the requirements in 34 CFR §300.154(a) by submitting to OSEP within a copy of a statute or regulation that meets the requirements in 34 CFR §300.154(a) or other appropriate written methods that met the requirements in 34 CFR §300.154(a), as described in 34 CFR §300.154(c)(1) and (3).

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	<p>Department of Health and the Superintendent of Public Instruction are unable to reach agreement.</p> <p>The revised MOU submitted on February 1, 2012, does not provide the required information. On April 17, 2012, the State submitted documentation stating that it is working with the BHD to revise the State's procedures for resolving interagency disputes. The State explained that it will finalize the new procedures and submit them in the MOU or another appropriate mechanism by June 30, 2012.</p>	
<p>GS-1: Identification of Noncompliance</p>	<p>OSEP's March 3, 2011 verification letter and November 16, 2011 letter required the State to provide, with its FFY 2010 APR, documentation that it has implemented the procedures it developed to ensure that it has a general supervision system that is reasonably designed to identify noncompliance in a timely manner in the BHD/EIEP and the preschool programs operated by the BHD/EIEP.</p> <p>The State did not provide the required information. On April 17, 2012, the State submitted documentation stating that the monitoring procedures outlined in the MOU will be implemented in the spring of 2012.</p>	<p>The State must submit, within 30 days of the date of this notice, documentation that it has implemented the procedures it developed to ensure that it has a general supervision system that is reasonably designed to identify noncompliance in a timely manner in the BHD/EIEP and the preschool programs operated by the BHD/EIEP.</p>
<p>GS-2: Correction of Noncompliance</p>	<p>OSEP's March 3, 2011 verification letter and November 16, 2011 letter required the State to clarify the extent to which it verified correction of findings of noncompliance identified in FFY 2007 and FFY 2008, in accordance with the requirements of OSEP Memo 09-02. The State was required to provide the information with the FFY 2010 APR, as specified in OSEP's June 20, 2011 response to the State's FFY 2009 APR/SPP submission.</p> <p>The State provided the required information in its FFY 2010 APR.</p>	<p>No further action is required.</p>
<p>GS-2: Correction of Noncompliance</p>	<p>OSEP's March 3, 2011 verification letter and November 16, 2011 letter required the State to provide, with its FFY 2010 APR, documentation that it has implemented the procedures it developed 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 BHD/EIEP and the preschool programs operated by the BHD/EIEP.</p> <p>The State did not provide the required information. On April 17, 2012, the State</p>	<p>The State must submit, within 30 days of the date of this notice, documentation that it has implemented the procedures it developed to ensure that it has a general supervision system that is reasonably designed to ensure</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	<p>provided a copy of a letter, dated March 1, 2012, that the WDE sent to the BHD regarding verification of correction of noncompliance. The letter states that, “Typically, the Department does not clear systemic findings of noncompliance when concerns are validated for more than two children. However, since the same type of noncompliance appears to be affecting these children’s situations, WDE has concluded that continuing a systemic, substantive finding of noncompliance in the area of Evaluation procedures is not warranted”. In addition, the letter does not address whether the BHD is correctly implementing the specific regulatory requirements (i.e., has achieved 100% compliance) based on a review of updated data. The policy for verifying correction, as set out in the letter, is inconsistent with the procedures the State submitted in its <i>Continuous Improvement and Focused Monitoring Procedures Manual</i>, dated September 23, 2011.</p> <p>This procedure is also inconsistent with OSEP Memo 09-02, which requires the State to verify that a finding of noncompliance has been corrected by verifying that the LEA: (1) 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 (2) has corrected the identified noncompliance for each child, unless the child is no longer within the jurisdiction of the LEA.</p>	<p>correction of identified noncompliance in a timely manner in the BHD/EIEP and the preschool programs operated by the BHD/EIEP.</p>
<p>DS-1: Collecting and Reporting Valid &amp; Reliable Data</p>	<p>OSEP’s March 3, 2011 verification letter and November 16, 2011 letter required the State to provide, with its FFY 2010 APR, documentation that it has implemented the procedures it developed to ensure that data and information collected from the BHD/EIEP are valid and reliable.</p> <p>The State provided the required information.</p>	<p>No further action is required.</p>
<p>FS-3: Appropriate Use of IDEA Funds</p>	<p>OSEP’s March 3, 2011 verification letter and November 16, 2011 letter required the State to provide, with its FFY 2010 APR, clarification regarding whether the procedures identified under section 5.G and 6.D in the draft revised MOU, submitted on October 11, 2011, are the procedures it will use to ensure that the BHD/EIEP appropriately uses IDEA funds, as required by GEPA, EDGAR, OMB Circulars A-87 and A-133, and applicable provisions in Part B of the IDEA.</p> <p>On April 17, 2012, the State provided the required information.</p>	<p>No further action is required.</p>
<p>FS-3: Appropriate Use of IDEA</p>	<p>OSEP’s March 3, 2011 verification letter and November 16, 2011 letter required the</p>	<p>No further action is required.</p>

**Wyoming Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
Funds	<p>State to provide, with its FFY 2010 APR, documentation that it has implemented the procedures it developed to ensure that the BHD/EIEP appropriately uses IDEA funds.</p> <p>On April 17, 2012, the State provided the required information.</p>	