



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

MAR 1 9 2010

Honorable Tony Evers, Ph.D.
Superintendent
Wisconsin Department of Public Instruction
125 South Webster Street
P.O. Box 7841
Madison, Wisconsin 53707-7841

Dear Dr. Evers:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Wisconsin Department of Public Instruction (WDPI) during the week of November 30, 2009. As indicated in our letter to you dated July 2, 2009, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Part B of the Individuals with Disabilities Education Act (IDEA). CIFMS is designed to ensure compliance and improve performance with Parts B and C¹ of the IDEA in accordance with 20 U.S.C. 1416 and 1442. Sections 616 and 642 of the IDEA require the Department to monitor States with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States meet the program requirements, particularly those most closely related to improving early intervention and educational results for children with disabilities.

The purpose of the verification visit is to review the State's systems for general supervision, collection of State-reported data, and fiscal management, as well as the State's systems for improving child and family outcomes and protecting child and family rights. During the verification visit, OSEP: (1) analyzed the components of the State's general supervision, data, and fiscal systems to determine the extent to which they are effective in ensuring compliance and improving performance; and (2) reviewed the accuracy of the data the State submitted for selected indicators in the State's FFY 2007 Annual Performance Report (APR)/State Performance Plan (SPP).

As part of the verification visit to Wisconsin, OSEP staff met with Dr. Stephanie Petska, State Director of Special Education, and State personnel responsible for implementing the general supervision, data, or fiscal systems. We also had the opportunity to meet with you, and with Assistant Superintendents Carolyn Stanford Taylor and Brian Pahnke. Prior to and during the visit, OSEP staff reviewed a number of documents, including the following: (1) Wisconsin's Federal Fiscal Year (FFY) 2007 APR submitted to OSEP in February 2009; (2) Wisconsin's SPP submitted to OSEP in December 2005 and updated in 2007, 2008 and 2009; (3) Wisconsin's eligibility document submissions under Part B of the IDEA for FFY 2009; (4) OSEP's

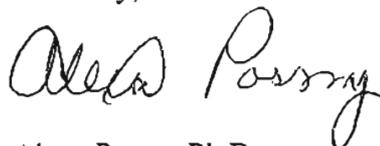
¹ During the week of November 30, 2009, OSEP also conducted its Part C verification visit to the Wisconsin Department of Health Services (DHS). OSEP is sending the Part C verification letter and enclosure to DHS under separate cover.

Verification Visit letter to Wisconsin dated February 9, 2007; (5) WDPI's website; and (6) other pertinent information². OSEP also collected and reviewed stakeholder input from the State's Parent Training and Information Center (PTI) and the State Advisory Council (SAC).

OSEP developed critical elements that were used to guide its evaluation of Wisconsin's general supervision, data, and fiscal systems. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosure to this letter. As further detailed in the Enclosure, OSEP found noncompliance, and has required corrective action in the following areas: (1) WDPI's verification of correction of noncompliance; (2) WDPI's failure to monitor local educational agencies' compliance with Part B's resolution meeting requirements; (3) WDPI did not, prior to the 2009-2010 school year, have in place procedures to ensure that LEAs complied with Part B's data reporting requirements related to the provision of coordinated, early intervening services; and (4) WDPI's practice of calculating State-level MOE based solely upon WDPI expenditures.

OSEP appreciates the cooperation and assistance of PTI staff, SAC members, and parents in providing feedback and input on the State's systems for special education. We look forward to collaborating with all stakeholders and actively working with the State to improve results for infants, toddlers, children, and youth with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call your OSEP State Contact, Lynne Fairfax, at 202-245-7337.

Sincerely,

A handwritten signature in black ink that reads "Alexa Posny". The signature is written in a cursive style with a large, looped initial "A".

Alexa Posny, Ph.D.
Acting Director
Office of Special Education Programs

Enclosure

cc: Dr. Stephanie Petska, State Director of Special Education

² Documents reviewed as part of the verification process were not reviewed for legal sufficiency, but rather to inform OSEP's understanding of your State's systems.