

Wisconsin Part C FFY 2011 SPP/APR Response Table

Part C SPP/APR Indicators

1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. [Compliance Indicator]
2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community-based settings. [Results Indicator]
3. Percent of infants and toddlers with IFSPs who demonstrate improved: <ul style="list-style-type: none"> A. Positive social-emotional skills (including social relationship); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]
4. Percent of families participating in Part C who report that early intervention services have helped the family: <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children’s needs; and C. Help their children develop and learn. [Results Indicator]
5. Percent of infants and toddlers birth to 1 with IFSPs compared to national data. [Results Indicator]
6. Percent of infants and toddlers birth to 3 with IFSPs compared to national data. [Results Indicator]
7. Percent of eligible infants and toddlers with IFSPs for whom an initial evaluation and initial assessment and an initial IFSP meeting were conducted within Part C’s 45-day timeline. [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> A. Developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s third birthday; [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> B. Notified (consistent with any opt-out policy adopted by the State) the SEA and the LEA where the toddler resides at least 90 days prior to the toddler’s third birthday for toddlers potentially eligible for Part B preschool services; and [Compliance Indicator]
8. Percent of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has: <ul style="list-style-type: none"> C. Conducted the transition conference held with the approval of the family at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler’s birthday for toddlers potentially eligible for Part B preschool services. [Compliance Indicator]
9. 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]
12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted). [Results Indicator]
13. Percent of mediations held that resulted in mediation agreements. [Results Indicator]
14. State-reported data (IDEA Section 618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]

Timeliness of State Complaint and Due Process Hearing Decisions
(Collected as Part of IDEA Section 618 Data rather than through an SPP/APR Indicator)

Timely Resolution of State Complaints: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

Timely Adjudication of Due Process Hearing Requests: Percent of adjudicated due process hearing requests that were adjudicated within the timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Wisconsin Part C FFY 2011 SPP/APR Results Data Summary

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET
2. Infants and Toddlers Served in Natural Environments	95.43%	96.13%	≥ 96.30% ¹
3. Early Childhood Outcomes Data	See Attached Table	See Attached Table	See Attached Table
4. Percent of families participating in Part C who report that early intervention services have helped the family:	86.25%	82.83%	≥ 90%
A. Know their rights;			
B. Effectively communicate their children's needs; and	82.37%	87.49%	≥ 94%
C. Help their children develop and learn.	80.78%	85.20%	≥ 94%
5. Infants and Toddlers Served Birth to One	0.94%	1.03%	≥ 0.95%
6. Infants and Toddlers Served Birth to Three	2.89%	2.80%	≥ 2.84%
12. Hearing Requests Resolved through Resolution Session Agreements	Not Applicable	Not Applicable	Not Applicable
13. Mediations Held that Resulted in Mediation Agreements	One mediation did not result in a mediation agreement.	None	Not Applicable

¹ As used in this table, the symbol “≥” means that, to meet the target, the State’s data must be greater than or equal to the established target.

3. Percent of Infants and Toddlers with IFSPs Who Demonstrate Improved Outcomes

Summary Statement 1 ²	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	61.8%	59%	≥ 72.6%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication)	68.0%	66.1%	≥ 78.3%
Outcome C: Use of appropriate behaviors to meet their needs	72.7%	69.5%	≥ 76.8%
Summary Statement 2 ³	FFY 2010 Data	FFY 2011 Data	FFY 2011 Target
Outcome A: Positive social-emotional skills (including social relationships)	66.5%	66.1%	≥ 74.10%
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication)	50.2%	50.7%	≥ 59%
Outcome C: Use of appropriate behaviors to meet their needs	68.0%	68.5%	≥ 76.5%

² **Summary Statement 1:** Of those infants and toddlers who entered or exited early intervention below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 3 years of age or exited the program.

³ **Summary Statement 2:** The percent of infants and toddlers who were functioning within age expectations in each Outcome by the time they turned 3 years of age or exited the program.

Wisconsin Part C FFY 2011 Results Data Summary Notes

INDICATOR 2: The data that the State submitted in its FFY 2011 APR are different from the FFY 2011 data that the State reported under IDEA section 618 for this indicator. The State explained that the data that the State reported in the APR are updated from the data the State submitted under section 618, and are the accurate data for this indicator.

INDICATOR 3:

REQUIRED ACTIONS

The State must report progress data and actual target data for FFY 2012 in the FFY 2012 APR.

INDICATOR 13: The State reported that no mediations were held during the reporting period. The State reported fewer than ten mediations held in FFY 2011. The State is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.

Wisconsin Part C FFY 2011 SPP/APR Compliance Data Summary

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2010
1. Timely provision of early intervention services	99.13%	99.55%	100%	The State reported that 13 of 16 findings of noncompliance identified in FFY 2010 were corrected in a timely manner and that one finding was subsequently corrected by February 22, 2013. The State reported on the actions it took to address the uncorrected noncompliance.
7. 45-day timeline for evaluation and assessment and initial IFSP meeting	97.21%	98.98%	100%	The State reported that all 20 of its findings of noncompliance identified in FFY 2010 were corrected in a timely manner.
8.A. IFSPs with transition steps and services	99.23%	99.55%	100%	The State reported that eight of ten findings of noncompliance identified in FFY 2010 were corrected in a timely manner and that one finding was subsequently corrected by February 22, 2013. The State reported on the actions it took to address the uncorrected noncompliance.
8.B. Notification to LEA and SEA, if child potentially eligible for Part B	98.13%	100%	100%	The State reported that 18 of 19 findings of noncompliance identified in FFY 2010 were corrected in a timely manner. The State reported on the actions it took to address the uncorrected noncompliance.

INDICATOR	FFY 2010 DATA	FFY 2011 DATA	FFY 2011 TARGET	CORRECTION OF FINDINGS OF NONCOMPLIANCE IDENTIFIED IN FFY 2010
8.C. Transition conference, if child potentially eligible for Part B	98.09%	98.68%	100%	The State reported that 18 of 20 findings of noncompliance identified in FFY 2010 were corrected in a timely manner and that one finding was subsequently corrected by February 22, 2013. The State reported on the actions it took to address the uncorrected noncompliance.
9. Timely correction	90.78%	89.01%	100%	The State reported that 81 of 91 findings of noncompliance identified in FFY 2010 were corrected in a timely manner and that four findings were subsequently corrected by February 22, 2013.
14. Timely and accurate data	88.50%	100%	100%	

Wisconsin Part C FFY 2011 State Complaint and Hearing Data from IDEA Section 618 Data Reports

REQUIREMENT	FFY 2010 DATA	FFY 2011 DATA
Timely resolution of complaints	100% (based on two complaints)	No State complaints received in reporting period.
Timely adjudication of due process hearing requests	0% (based on one due process hearing)	The State reported that it did not receive any requests for due process hearings during the reporting period.

Wisconsin Part C FFY 2011 Compliance Data Summary Notes

INDICATOR 1: The State reported that one remaining finding of noncompliance identified in FFY 2009 was not corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected noncompliance.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR, that the remaining two uncorrected noncompliance findings identified in FFY 2010, and the remaining one uncorrected noncompliance finding identified in FFY 2009, were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with findings of noncompliance identified in FFY 2011 and each EIS program or provider with remaining findings of noncompliance identified in FFY 2010 and 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 EIS program or provider, consistent with OSEP Memo 09-02.⁴ In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 7: The State reported that the one finding of noncompliance identified in FFY 2009 was corrected.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with noncompliance identified in FFY 2011 for this indicator: (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 EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

⁴ OSEP Memorandum 09-02 (OSEP Memo 09-02), dated October 17, 2008, requires that the State report that it verified that each EIS program or provider with noncompliance: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the EIS program or provider.

INDICATOR 8A: The State reported that two remaining findings of noncompliance identified in FFY 2009 and one remaining finding of noncompliance identified in FFY 2008 were corrected.

REQUIRED ACTIONS

Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. In addition, the State must demonstrate, in the FFY 2012 APR, that the one remaining uncorrected noncompliance finding identified in FFY 2010 was corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with findings of noncompliance identified in FFY 2011 and the EIS program or provider with the remaining finding of noncompliance identified in FFY 2010: (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 EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 8B:

The State reported that the two remaining findings of noncompliance identified in FFY 2009, the one remaining finding of noncompliance identified in FFY 2008, and the one remaining finding identified in FFY 2007 were corrected.

INDICATOR 8C: The State reported that the one remaining finding of noncompliance identified in FFY 2009 and the one remaining finding of noncompliance identified in FFY 2008 were not corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected noncompliance.

REQUIRED ACTIONS

The State must demonstrate, in the FFY 2012 APR, that the remaining one uncorrected noncompliance finding identified in FFY 2010, the remaining one uncorrected noncompliance finding identified in FFY 2009, and the remaining one uncorrected noncompliance finding identified in FFY 2008 were corrected. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each EIS program or provider with findings of noncompliance identified in FFY 2011 and each EIS program or provider with remaining findings of noncompliance identified in FFY 2010, FFY 2009, and 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 EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.

INDICATOR 9: The State reported that four of six remaining findings of noncompliance identified in FFY 2009, two of three findings of noncompliance identified in FFY 2008, and the one remaining finding of noncompliance identified in FFY 2007, were corrected. For the uncorrected noncompliance, the State reported on the actions it took to address the uncorrected noncompliance.

The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2009 and FFY 2010 APRs, was advised of available technical assistance, and was required to report, with the FFY 2011 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.

REQUIRED ACTIONS

The State must demonstrate, in the FFY 2012 APR, that the remaining six findings of noncompliance identified in FFY 2010, the remaining two findings of noncompliance identified in FFY 2009, and the remaining one finding of noncompliance identified in FFY 2008, that were not reported as corrected in the FFY 2011 APR, were corrected.

When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each EIS program or provider with findings of noncompliance identified in FFY 2011, and the remaining findings identified in FFY 2010 and 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 EIS program or provider, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 9 in the FFY 2012 APR, the State must use and submit the Indicator 9 Worksheet.

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 2012 APR, that it has corrected this noncompliance.

In addition, in responding to Indicators 1, 7, 8A, 8B, and 8C in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under those indicators.

INDICATOR 14: The State was identified as being in need of assistance for two consecutive years based on the State's FFY 2009 and FFY 2010 APRs, was advised of available technical assistance, and was required to report, with the FFY 2011 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.