



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Helene Nelson  
Secretary  
Wisconsin Department of Health and Family Services  
1 West Wilson Street  
Madison, Wisconsin 53707-7850

JAN 24 2007

Dear Secretary Nelson:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) recent verification visit to Wisconsin under Part C of the Individuals with Disabilities Education Act (IDEA). As indicated in our letter to you of April 13, 2006, 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 Parts B and C of the IDEA. OSEP staff conducted the verification visit to Wisconsin during the week of November 6, 2006.

The purpose of our verification reviews of States is to determine how they use their systems for general supervision and State-reported data collection to assess and improve State performance, child and family outcomes, and the protection of child and family rights. The purposes of the verification visits are to: (1) understand how these systems work at the State level; (2) determine how the State collects and uses data to make monitoring decisions; and (3) determine the extent to which the State's general supervision systems are designed to identify and correct noncompliance.

My staff appreciated the opportunity to meet with you and with Mr. Chuck Wilhelm, Director of the Bureau of Long-Term Support, during the visit to the Wisconsin Department of Health and Family Services (DHFS), the State's Part C Lead Agency. As part of the verification visit, OSEP staff also met with Ms. Beth Wroblewski, the State's Part C Coordinator, and members of the DHFS early intervention staff who are responsible for the: (1) oversight of general supervision activities (including monitoring, mediation, complaint resolution, and impartial due process hearings); and (2) collection and analysis of State-operated data. A member of the Lead Agency's western regional staff and a member of the RESource Technical Assistance Project participated in the meeting via teleconference.

Prior to and during the visit, OSEP staff reviewed a number of documents, including Wisconsin's: (1) Federal Fiscal Year (FFY) 2006 Part C grant application; (2) FFY 2003 Annual Performance Report (APR); (3) State Performance Plan (SPP); and (4) submissions of data under section 618 of the IDEA, as well as other information and documents.<sup>1</sup> OSEP also conducted a conference call on October 19, 2006 with representatives from the Wisconsin State Interagency

---

<sup>1</sup> 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.

Coordinating Council (SICC) to solicit information on the strengths and weaknesses of the State's systems for general supervision and data collection and reporting.

The information that Ms. Wroblewski and her staff provided during the OSEP visit, together with all of the information that OSEP staff reviewed in preparation for the visit, greatly enhanced our understanding of DHFS's systems for general supervision and data collection and reporting for the Wisconsin Birth to Three Program.

### **General Supervision**

In looking at the State's general supervision system, OSEP collected information regarding a number of elements, including whether the State: (1) has identified any barriers (e.g., limitations on authority, insufficient staff or other resources, etc.) that impede the State's ability to identify and correct noncompliance; (2) has systemic data-based, and reasonable approaches to identifying and correcting noncompliance; (3) utilizes guidance, technical assistance, follow-up, and—if necessary—sanctions, to ensure timely correction of noncompliance; (4) has dispute resolution systems that ensure timely resolution of complaints and due process hearings; and (5) has mechanisms in place to compile and integrate data across systems (e.g., 618 State-reported data, due process hearings, complaints, mediation, previous monitoring results, etc.) to identify systemic issues and problems.

### ***Structure of the Wisconsin Birth to Three Program***

DHFS described the State's Part C Birth to Three Program as a comprehensive, statewide system of community-based, family-centered services for young children and their families that is designed to assist families in meeting the special developmental needs of their infants and toddlers with developmental delays or disabilities.

**Bureau of Long-Term Support (BLTS).** Within the Lead Agency, BLTS has responsibility for general supervision of Wisconsin's Part C system.

**Regions and Counties.** Wisconsin is divided into five regions and has 72 counties. Each county board designates a county Birth to Three Program administrative agency. There are two combined agencies that serve more than one county, and there are 69 county human service agencies and five county public health agencies that are the local lead agencies. The county administrative agencies hire their own staff or contract with providers.

**RESource Technical Assistance Project.** For this project, the Lead Agency contracts with staff housed at the Waisman Center. The project provides a regional specialist who is assigned to specific counties. The RESource specialist makes regular contact with local programs, responds to requests for information, links counties with similar questions or concerns, and provides a planned approach to individualized technical assistance. In addition, as further discussed below in this letter, the RESource staff work with the county leadership to develop a Program in Partnership Plan (PIPP) that identifies areas in need of improvement or assistance.

**Human Services Reporting System (HSRS).** As further described below in this letter, the HSRS is the DHFS statewide mainframe data collection system. The Birth to Three Program uses the HSRS staff to compile and summarize the county data reports. These summaries are used to prepare county level reports and reports for Federal reporting requirements, and to monitor specific outcomes. HSRS collects data on eight major client populations: developmental disabilities, mental health, alcohol and other drug abuse (AODA), physical and sensory disabilities, elderly, juvenile delinquents and status offenders, child abuse and neglect, and family services. State staff throughout DHFS use HSRS data regularly for program monitoring, planning, budgeting and analysis.

### *Identification and Correction of Noncompliance*

The Lead Agency informed OSEP that the components of its system for general supervision, known as the "Big Seven," consist of the following: (1) State Performance Plan (SPP) and State Goals with Measurable Targets; (2) Effective Policies, Procedures, and Practices; (3) Data on Processes and Results; (4) Targeted Technical Assistance and Professional Development; (5) Effective Dispute Resolution; (6) Integrated On-Site and Off-Site Monitoring Activities (including a focus on selected priorities); and (7) Improvement and Corrective Action Planning, Incentives and Sanctions.

The Lead Agency informed OSEP that as a result of the OSEP monitoring visit conducted in February 1999, the State moved from a five-year to a four-year monitoring review process including an on-site review of each county program over a four-year period.

The Lead Agency reported that from 1997 to 2001, the first monitoring cycle included the following: (1) development of parent surveys; (2) reviews of files; and (3) interviews with providers. The Lead Agency reported that an extensive checklist was used, which made counties look at the breadth of the Part C requirements.

The Lead Agency reported that for the second cycle, which began in June 2002 and was completed in June 2006, the focus moved to more systemic issues. During the second cycle, parent interviews were added to the review process. The Lead Agency stated that the visits lasted two days, but in some of the larger counties (e.g., Milwaukee) the visits were three or more days.

The Lead Agency stated that the on-site monitoring review team includes Part C staff from DHFS, staff from the contracted RESource training and technical assistance project, and the DHFS Human Services Area Administrator from the appropriate DHFS Regional Office. The Lead Agency reported that parents are also included, when possible. While parent participation during the on-site review is determined by the individual counties, the most common role for parents is conducting family interviews. The Lead Agency informed OSEP that prior to the on-site review, the State review team conducts a teleconference with local staff to plan the review.

Lead Agency staff reported that the State monitoring review includes interviews, file reviews, and review of 618 data (especially child count, timelines, and services). The State review team interviews a minimum of nine randomly selected families, of which six are telephone interviews

and three occur in the family home. The team also interviews county administrators, program coordinators, service coordinators, providers and the county community partners. Lead Agency staff reported that at least nine records (or more depending on county size) are randomly selected for review. Lead Agency staff stated that county teams review nine early intervention files, or ten percent of enrollment, whichever is larger, using the File Review Checklist and the results are sent to the State team prior to the on-site visit. During the on-site visit, the State team reviews the same records using the File Review Checklist. Further, the Lead Agency stated that the counties are required to complete the Birth to Three Program Review Focus Questions, prior to the on-site visit. The questions address 13 program requirements or areas, such as evaluation, individualized family service plan (IFSP), record keeping, human resources, partnerships, and service coordination.

Lead Agency staff informed OSEP that following the monitoring activities, any findings requiring corrective action by the county agency are identified and confirmed in a draft report within 60 days. RESource staff develop the monitoring report, and the counties have the opportunity to develop strategies about how to correct areas of noncompliance. RESource staff then submit the draft report to the Lead Agency for review. Once Lead Agency staff have completed their review of the draft report, the Lead Agency sends the draft report to the county for review. The report becomes final if the county does not comment on the draft report. The final report may be shared with interested parties and is accessible on the Birth to Three website.

Lead Agency staff reported that during the second cycle, every county reviewed received a monitoring report, and that once each report became final, a PIPP was developed by the county and RESource staff to address both correction of noncompliance and continuous improvement of performance. Lead Agency staff reported that Wisconsin also has an extensive technical assistance system that is linked to its monitoring. State Birth to Three staff and regional staff are available to support the county in developing and carrying out the PIPP. Lead Agency staff reported to OSEP that currently there is no county with noncompliance that has continued beyond one year from its identification.

At the time of the OSEP verification visit, Lead Agency staff told OSEP that cycle three would begin in November 2006 with various counties from all five regions participating in a pilot process. Participating counties will be asked to answer 20 questions that have been developed and are aligned with the SPP indicators. The child record checklist will also be revised to align with the SPP indicators and the HFS 90 regulations, which are the State administrative rules for the Birth to Three Program. Lead Agency staff informed OSEP that a fiscal component will be added to the on-site review; as part of the cycle three process, local programs will be required to complete an annual self-assessment guided by the Birth to Three Program Outcomes Framework. Lead Agency staff reported that the counties will be required to gather information to support each of the indicators.

The cycle three process will involve program coordinators, service coordinators, providers, families, and community partners including providers of Part B services. Lead Agency staff informed OSEP that all review team staff have been trained on the revised program review process. The ongoing training focuses on RESource staff who participate in training with State staff within their agency.

During the verification visit, OSEP and DHFS staffs discussed the method DHFS has used for file reviews in monitoring for timeliness of early intervention services. Since this subject is an integral part of Indicator 1 in the FFY 2005 APR due February 1, 2007, OSEP will address the issue in response to Wisconsin's APR submission.

Based on documents reviewed, prior to and during the verification visit, and OSEP's review of Wisconsin's Part C monitoring system during the verification visit, OSEP believes that the State's general supervision system as it has been implemented constitutes a reasonable approach to identifying and correcting noncompliance. However, OSEP cannot, without also collecting data at the local level determine whether the State's procedures are fully effective in identifying and correcting noncompliance.

### ***Dispute Resolution***

During the verification visit, the Lead Agency reported that it last received an administrative complaint in 2004, which was resolved within 60 calendar days of its receipt. The Lead Agency further reported that due process hearing requests have resulted in resolution prior to conducting a hearing. The Lead Agency informed OSEP that as of the date of the verification visit, it had not yet received any requests for mediation in 2006.

### **Data Collection Under Section 618 of the IDEA**

In looking at the State's system for data collection and reporting under section 618 of the IDEA, OSEP collected information regarding a number of elements, including whether the State: (1) provides clear guidance and ongoing training to local programs/public agencies regarding requirements and procedures for reporting data under section 618 of the IDEA; (2) implements procedures to determine whether the individuals who enter and report data at the local and/or regional level do so accurately and in a manner that is consistent with the State's procedures, OSEP guidance, and section 618; (3) implements procedures for identifying anomalies in data that are reported, and correcting any inaccuracies; and (4) has identified any barriers (e.g., limitations on authority, sufficient staff or other resources, etc.) that impede the State's ability to accurately, reliably and validly collect and report data under section 618.

As noted above, the Lead Agency's HSRS manages the Part C data system used to collect the child count, program settings, and exiting data required to be reported to OSEP under section 618 of the IDEA. HSRS is the statewide mainframe data collection system that stores data at DHFS. The Lead Agency told OSEP that this reporting tool is used to collect data on several social and disability service programs. Lead Agency staff informed OSEP that a number of costly enhancements have been made to the HSRS since its installation in 1986, and that the State intends, as soon as possible, to convert the HSRS to a web-based system.

Lead Agency staff explained that the system is housed in DHFS and is implemented at the local level through continuing contracts with the counties. Lead Agency staff informed OSEP that 68 of the counties have trained terminal operators who enter data locally. The four remaining counties, Pierce, Polk, Iron, and Douglas, which do not have computer based data systems, send their data directly to the Lead Agency where it is entered into the HSRS. The Lead Agency

reported that the system collects data from the county agencies either through direct entry to an on-line terminal or through communications from local computers to the State mainframe. The system includes two areas of reporting: (1) client specific information; and (2) summary reporting tables. Data must be entered on the Birth to Three Program module at least quarterly for children participating in the Birth to Three Program. Lead Agency staff informed OSEP that at the end of each quarter, data must accurately reflect current information about all children in the system, whether the child's file is active or closed.

The Lead Agency stated that improved procedures and technology are being applied to assist counties that have their own automated systems to more easily transmit data to HSRS. The Lead Agency explained that the system the State previously used did not handle large volumes of data effectively, and also involved significant manual intervention. An improved method is now used that allows counties to use the Internet to upload files to HSRS and then to download results back to the counties the following day.

Lead Agency staff reported that the system uses a unique identifier across its various modules to enable the tracking of infants and toddlers across multiple service areas, and to meet the needs for unduplicated counts. Three data elements consisting of the child's full legal name, birth date, and gender produce a 14-character identifier that bears no resemblance to the child's name. Methods to identify and remove extra identifiers (caused by different spellings of the same name) are used. Lead Agency staff informed OSEP that the system also incorporates other types of edit checks, such as edits that catch illogical data and entry edits. A message will appear at the bottom of the computer screen if the data entered do not make sense. Lead Agency staff reported that data entered into the system could be changed, but only if verified. Any revised data must be checked against the dates and information in the child's record.

Lead Agency staff described the extensive and on-going training and support provided to data entry personnel. Additional resources available for data entry include the following: (1) HSRS Handbook; (2) HSRS HELP desk; (3) WISLINE; and (4) Birth to Six Events Newsletter.

The Lead Agency informed OSEP that it utilizes what is called a "Birth to Three Module Deskcard." The deskcard includes a coding system for entering information onto the Birth to Three Program Module. Information on the deskcard includes: (1) client characteristics; (2) referral service; (3) county of residence; (4) location of services; (5) closing reasons; and (6) services to be provided. Lead Agency staff informed OSEP that the HSRS Birth to Three Program Module information must be entered at least quarterly, but may be entered more frequently.

Lead Agency staff reported that counties collect child count data by completing and entering into the HSRS information from the "Summary of Child Count Information." This information must be completed by a date that the Lead Agency specifies. A separate report is submitted based on an unduplicated count of the children in the county as of December 1<sup>st</sup> for each of the following four categories: (1) total number of children referred to the Birth to Three Program during the year; (2) number of referred children for whom a screening was completed during the year; (3) number of children for whom an evaluation was completed during the year; and (4) number of children with completed IFSPs who are receiving Birth to Three services on December 1<sup>st</sup>. Lead

Agency staff informed OSEP that this number should match the number of children reported to HSRS.

Lead Agency staff explained that section four of the Birth to Three Program Module Deskcard includes the location of services. The numbered coding system for the location of services goes from one to nine and equates to a specific service location. The numbered codes for the location of services are as follows: (1) home; (2) family childcare; (3) childcare center; (4) outpatient services; (5) early intervention center; (6) hospital; (7) residential; (8) other setting; and (9) other program designed for typically developing children. Up to three codes can be placed on the Birth to Three Program Module. OSEP staff explained to the Lead Agency that some of the service locations are different from the Federal settings, but with the exception of “other setting” could be easily crosswalked for section 618 purposes. OSEP informed Lead Agency staff that the “other setting” for location of service must be deleted or changed to “other setting—natural environment” or “other setting—non-natural environment.” OSEP informed Lead Agency staff that the change must be made because no crosswalk could be done at the present time for this service location.

In addition, Lead Agency staff reported that the HSRS Birth to Three Program Module currently only captures settings data from a child’s first IFSP. Thus, the settings data that the Lead Agency reports to OSEP for a child after his or her first year in the Part C program are from the initial IFSP, rather than—as required by section 618 and OSEPs’ data reporting instructions—from the child’s most recent IFSP. At the time of the OSEP verification visit, the Lead Agency informed OSEP that it would resolve this problem by revising the name of a field not in use and inserting information from the child’s most recent IFSP in that field.

Further, Lead Agency staff explained to OSEP that exiting data was collected by placing a closing date in a certain field on the Birth to Three Program Module. This date is the date that the child leaves the Birth to Three Program and no longer receives early intervention services. Lead Agency staff reported that the Birth to Three Module Deskcard includes a numbered coding system that equates to reasons for closing the record. One of these number codes is required to be entered in another field on the Birth to Three Program Module. Lead Agency staff informed OSEP that there are at least two counties that do not consistently enter exiting reason data. The Lead Agency stated that while there is ongoing improvement with the two counties in entering these data, there is not yet 100% compliance.

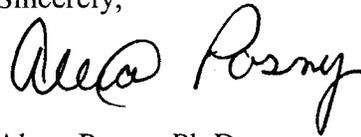
Based on information, addressed above, provided during the verification visit, OSEP is unable at this time to determine the effectiveness of the State’s procedures to ensure the accuracy of the State’s settings and exiting data reported under section 618 of the IDEA. As part of its FFY 2005 APR due February 1, 2007, or within 60 days from the date of this letter, the State must submit to OSEP its plan to ensure that in its February 2008 submission of data under section 618 of the IDEA, the data will reflect: (1) a corrected HSRS service location coding system, specifically the “other setting” code, consistent with the Federal settings; (2) settings data based on the most recent IFSP, and not just the initial IFSP, for each child; and (3) exiting data that are complete and accurate data from all counties in the State.

## Conclusion

As noted above, although OSEP believes that the State's general supervision system constitutes a reasonable approach to the identification and correction of noncompliance, OSEP is unable at this time to determine the effectiveness of the State's procedures to ensure the accuracy of the settings and exiting data reported under section 618 of the IDEA. As part of its FFY 2005 APR due February 1, 2007, or within 60 days from the date of this letter, the State must submit to OSEP its plan to ensure that in its February 2008 submission of data under section 618 of the IDEA, the data will reflect (1) a corrected HSRS service location coding system, specifically the "other setting" code, consistent with the Federal settings; (2) settings data based on the most recent IFSP, and not just the initial IFSP, for each child; and (3) exiting data that are complete and accurate data from all counties in the State.

We appreciate the cooperation and assistance provided by your staff during our visit. If you have any questions about this letter, please contact Barbara Route, OSEP's State Contact for Wisconsin's Part C program at 202-245-7510. We look forward to collaborating with Wisconsin as you continue to improve results for infants and toddlers with disabilities and their families.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexa Posny". The signature is fluid and cursive, with the first name "Alexa" written in a larger, more prominent script than the last name "Posny".

Alexa Posny, Ph.D.

Director

Office of Special Education Programs

cc: Beth Wroblewski  
Part C Coordinator