



Information UPDATE

Wisconsin Department of Public Instruction/Tony Evers, State Superintendent/P.O. Box 7841/ Madison, WI 53707-7841

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TO: District Administrators, CESA Administrators, CCDEB Administrators,
Directors of Special Education and Pupil Services, and Other Interested Parties

FROM: Carolyn Stanford Taylor, Assistant State Superintendent
Division for Learning Support: Equity and Advocacy

SUBJECT: Special Education Procedural Compliance Self-Assessment

As part of its general supervision system to ensure compliance with state and federal special education requirements, the Department of Public Instruction (DPI) monitors approximately 440 local educational agencies, including independent charter schools, the Wisconsin Department of Health Services, and the Wisconsin Department of Corrections. In addition, DPI monitors the Wisconsin Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired. Each of these public agencies will implement the *Special Education Procedural Compliance Self-Assessment (Self-Assessment)* during the current Individuals with Disabilities Education Act (IDEA) State Performance Plan cycle, ending with the 2010-2011 school year.

Wisconsin's public agencies have been divided into five cohorts of approximately 88 agencies each. One cohort performs the *Self-Assessment* each year beginning with the 2006-2007 school year. Each cohort is developed to be representative of the state for pupil enrollment, areas of disability, gender, ethnicity, and race. Public agencies with average daily membership of 50,000, or more, participate each year. Public agencies may be advanced on the schedule based on concerns identified by the DPI Special Education Team. The *Self-Assessment* schedule may be viewed at <http://dpi.wi.gov/sped/spp-sa-select.html>.

The *Self-Assessment* uses samples of students' individualized education program (IEP) records, interviews, and other sources. It includes selected requirements of IDEA 2004 and state law, which are closely related to improving student outcomes. The requirements in the *Self-Assessment* are related to Wisconsin's Continuous Improvement and Focused Monitoring System (CIFMS) priorities and IDEA State Performance Plan indicators. They were selected with guidance provided by the Office of Special Education Programs, U.S. Department of Education. DPI also collects data for Wisconsin State Performance Plan Indicators 11 and 13 through the *Self-Assessment*. Indicator 11 is the percent of children evaluated for special education eligibility within 60 days of parental consent to conduct the evaluation. Indicator 13 is the percent of children whose IEP include a postsecondary transition plan.

The requirements in the *Self-Assessment* fall into six topical areas: parent participation, evaluation, IEP team, IEP content, discipline, and private schools. DPI may modify the content of a public agency's assessment to include other potential compliance issues identified by the DPI special education team. A compliance standard has been developed for each requirement in the *Self-Assessment*. The department strongly recommends all public agencies review the standards for assessing each of the *Self-Assessment* items to ensure compliance with them. These standards may be viewed at <http://dpi.wi.gov/sped/pdf/sa-stand-dir.pdf>. Annually, DPI selects public agencies to validate the accuracy of their *Self-Assessments*. In addition, DPI verifies all public agencies correct identified noncompliance within one year of notification.

A total of 274 public agencies conducted the *Self-Assessment* during the 2006-2007, 2007-2008, and 2008-2009 school years. When a public agency identified agency-level noncompliance on a requirement, it was required to develop and implement a corrective action plan to address the noncompliance. Any student-level noncompliance detected is corrected by the public agency. All noncompliance must be corrected as soon as possible, and no later than one year after identification. The attached table ranks requirements in the *Self-Assessment* by the number of public agencies found to have district-level noncompliance and required to develop a corrective action plan (CAP) during the 2006-2007, 2007-2008, and 2008-2009 *Self-Assessments*. The table includes the standards for assessing each of these items. DPI analyzes this data to identify statewide needs and develops technical assistance to improve outcomes.

During the three-year period, the most common item requiring a CAP was the requirement IEPs include a postsecondary transition plan. Data reported for this item is used by the department to determine the statewide compliance rate for State Performance Plan Indicator 13 (secondary transition). Wisconsin promotes effective transition practices through the Wisconsin Secondary Transition Initiative (WSTI). WSTI and DPI have increased training and technical assistance over the last three years to improve compliance with Indicator 13. For more information on Indicator 13, go to <http://www.wsti.org/>.

Four of the ten most common items requiring CAPs are evaluation requirements. Specifically, three items relate to public agency personnel participating in the review of existing evaluation data during IEP team evaluations. They are items E-3 (ranked third), participation of the regular education teacher; item E-5 (ranked fifth), local educational agency representative; and E-4 (ranked seventh), participation of the special education teacher. Item E-8 (ranked eighth) requires IEP teams to review previous interventions and the effects of those interventions.

Five of the ten most common items requiring CAPs are IEP requirements. Item I-15 (ranked second) requires statements of the amount and frequency of supplementary aids and services. Item I-16 (ranked fourth) requires statements of the amount and frequency of program modifications and supports for school personnel. Item I-10 (ranked sixth) requires a description of the impact of the child's disability on the child's progress and involvement in the general curriculum. Item I-11 (ranked tenth) requires a statement of measurable annual goals in the IEP. Item I-17 (ranked ninth) requires the LEA to provide parents with proper notice following the development or revision of the IEP, and prior to its implementation.

Of the ten most common items requiring a CAP, four showed significant improvement over the previous year. In 2008-2009, 49% of public agencies required a CAP for the transition requirement, while 68% required a CAP in 2007-2008. In 2008-2009, 28% of public agencies required a CAP for Item E-3, 16% required a CAP for item E-4, and 27% required a CAP for item E-5. In 2007-2008, the rates were 50%, 30%, and 42%, respectively. Item I-15 showed slippage over the previous year; 53% in 2008-2009 compared to 38% the previous year. The remaining five items were stable from year to year.

The department strongly encourages all public agencies to review the standards for these ten most common items requiring a CAP to ensure compliance.

Resources are available to assist public agencies in completing the *Self-Assessment*. A complete manual, PowerPoint presentations, webcasts, and a question and answer document are available on the DPI website. Go to <http://dpi.wi.gov/sped/spp-selfassmt.html>. Also public agencies may contact their Cooperative Educational Services Agency (CESA) about assistance offered by their CESA. If you have questions about this bulletin, contact Paul Sherman at (608) 267-9157 or paul.sherman@dpi.wi.gov, or Patricia Williams at (608) 267-3720 or patricia.williams@dpi.wi.gov.

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This information update can also be accessed through the Internet:
<http://dpi.wi.gov/sped/bulindex.html>