



Information UPDATE

Wisconsin Department of Public Instruction/Elizabeth Burmaster, 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* 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, and the National Center for Special Education Accountability Monitoring. DPI also collects data for Wisconsin State Performance Plan indicators 11 and 13 through the *Self-Assessment*.

The requirements in the *Self-Assessment* fall into six topical areas: parent participation, evaluation, IEP team, IEP content, discipline, and private schools. The 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*. Public agency personnel are encouraged to familiarize themselves with these compliance standards and implement them. These standards may be viewed at <http://dpi.wi.gov/sped/pdf/sa-stand-dir.pdf>. Annually, the DPI selects

public agencies to validate the accuracy of their *Self-Assessments*. In addition, DPI verifies all instances of noncompliance identified by public agencies are corrected within one year.

A total of 182 public agencies conducted the *Self-Assessment* during the 2006-2007 and 2007-2008 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. 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 and 2007-2008 *Self-Assessments*. The table includes the standards for assessing each of these items. The department strongly recommends all public agencies that have not yet conducted the *Self-Assessment* review the standards for assessing each of the *Self-Assessment* items to ensure compliance with them.

The data from 2006-2007 and 2007-2008 have been combined for two reasons. First, because there are only two years of data, it is not appropriate to analyze whether there is a trend. Second, in each year the same requirements ranked in the ten most frequently requiring a CAP. There is only one exception. Item N-4, the requirement to complete an initial evaluation within 60 days of receipt of parental consent for the evaluation, ranked in the ten most common in 2006-2007. It is not in the ten most frequently requiring a CAP in 2007-2008. During the two-year period, the most common item requiring a CAP was the requirement that IEPs include coordinated, measurable annual IEP goals and transition services (item T-3). Data reported for item T-3 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 offer training and technical assistance designed 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 second), participation of the regular education teacher; item E-5 (ranked fourth), local educational agency representative; and E-4 (ranked sixth), participation of the special education teacher. Item E-8 (ranked seventh) 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 third) requires statements of the amount and frequency of supplementary aids and services. Item I-16 (ranked fifth) requires statements of the amount and frequency of program modifications and supports for school personnel. Item I-10 (ranked eighth) 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 ninth) requires a statement of measurable annual goals in the IEP. Item I-17 (ranked tenth) requires the district provide parents with proper notice following the development or revision of the IEP and prior to its implementation.

Resources are available to assist public agencies in completing the *Procedural Compliance Self-Assessment*. A complete manual, PowerPoint presentations, webcasts, and a question and answer document are available on the DPI web site. Go to <http://dpi.wi.gov/sped/spp-selfassmt.html>. Also contact your Cooperative Educational Services Agency (CESA) about assistance offered by your 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.

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