

OMB NO. 1820-0030

Expires: 01/31/2026

**ANNUAL STATE APPLICATION UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FOR FEDERAL FISCAL YEAR 2023**

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

Washington, DC 20202-2600

Public Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a currently valid OMB control number. The valid OMB control number for this collection is 1820-0030. Public reporting burden for this collection of information is estimated to average 14 hours per responses, and an average of 25 additional hours for responses reporting data related to significant disproportionality in a given year, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit under 20 U.S.C. 1411 and 1419. If you have comments or concerns regarding the status of your individual submission of this form, please contact Jennifer Simpson at Jennifer.Simpson@ed.gov or at the Office of Special Education and Rehabilitative Services US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Respondents are required to provide the data in Section V pursuant to IDEA section 618(a)(3), which provides the Secretary authority to collect annual data on any information that may be required by the Secretary and 34 CFR §300.647(b)(7), which requires States to report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the "reasonable progress" flexibility in 34 CFR §300.647(d)(2), and the rationales for each, to the Department.

Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A. of this Application.
2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A.:

- a. Section II.A. provides documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
- b. As noted in Section II.A., the State has not completed all issues identified in the FFY 2022 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- a. The State previously submitted documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
- b. The State is attaching documentation of completion of all issues identified in the FFY 2022 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- c. The State has not completed all issues identified in the FFY 2022 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

Section II

A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

Yes <i>(Assurance is given Place a check as applicable.)</i>	No <i>(Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)</i> <i>Enter date(s) as applicable</i>	Assurances Related to Policies and Procedures
X		1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108.
X		2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110)
X		3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111.
X		4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.324, except as provided in §§300.300(b)(3) and 300.300(b)(4). (20 U.S.C. 1412(a)(4); 34 CFR §300.112)
X		5. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be

		achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120.
X		6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121.
X		7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122)
X		8. Agencies in the State comply with 34 CFR §§300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123)
X		9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124)
X		10. Agencies in the State, and the SEA if applicable, comply with the requirements of 34 CFR §§300.130 through 300.148 (relating to responsibilities for children in private schools), including that to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148)
X		11. The State educational agency is responsible for ensuring that the requirements of Part B are met including the requirements of 34 CFR §§300.113, 300.149, 300.150 through 300.153, and 300.175 and 300.176 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149)
X		12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(1)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during

		the pendency of any dispute under §300.154(a)(3). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154.
X		13. The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155)
X		14. The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E), as amended by the Every Student Succeeds Act; 34 CFR §300.156.
X		15. The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C), as amended by the Every Student Succeeds Act; 34 CFR §300.157.
X		16. All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); as amended by the Every Student Succeeds Act; 34 CFR §300.160.
X		17. Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162.
X		18. The State will not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year, unless a waiver is granted, in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §§300.163 through 300.164.
X		19. Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165)
X		20. In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166)
X		21. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education

		and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169.
X		22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170.
X		23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172.
		23b. <i>(Note: Check either "23b.1" or "23b.2" whichever applies.</i>
X		23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to: <ul style="list-style-type: none"> • require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or • purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172)
		23b.2 The State educational agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172)
X		24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173)
X		25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174.

B. Other Assurances

The State also makes the following assurances:

Yes	Other Assurances
X	1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705.
X	2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.)
X	3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702)
X	4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations.

C. Certifications

The State is providing the following certifications:

Yes	Certifications
X	1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i> , is on file with the Secretary of Education. With respect to the <i>Certification Regarding Lobbying</i> , the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers.
X	2. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154 (or 20 U.S.C. 1412(a)(12)(A)); 34 CFR §300.154(a) are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171.

D. Statement

I certify that the State of Wisconsin can make the assurances checked as 'yes' in Section II.A. and II.B. and the certifications required in Section II.C. of this application. These provisions meet the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) as found in PL 108-446 and the implementing regulations. The State will operate its IDEA Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA ,as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. (34 CFR § 76.104)

I, the undersigned authorized official of the Wisconsin Department of Public Instruction, am designated by the Governor of this State to submit this application for FFY 2023 funds under Part B of the IDEA.

Authorized Representative of the State of Wisconsin: John W. Johnson, PhD, Deputy State Superintendent
Signature:
Date:

Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act—20 U.S.C. 1411(e)(5); 34 CFR § 300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the FFY 2023 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7).) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2).¹ The dollar amounts **listed in the Excel Interactive Spreadsheet** by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State's Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State's application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR § 300.704)

Representatives from all geographic areas of the state who comprise the Regional Special Education Network (RSN) meet regularly with department staff to discuss many issues including the use of IDEA discretionary funds to address State priorities. Statewide systems change grants include an advisory panel of education stakeholders that provide on-going input. DPI administrative staff meets quarterly with the Executive Board of the Wisconsin Council of Administrators of Special Services (WCASS) to discuss State priorities. The State Superintendent's Council on Special Education meets with DPI administrative staff on a quarterly basis and reviews funding priorities and expenditures. The Special Education Council is also involved in setting rigorous and measurable targets for the indicators in our State Performance Plan. The department meets with the Special Education Council to review progress towards these targets and to seek their input on the State's initiatives, general supervision of activities and other efforts to improve outcomes.

¹Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or \$800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or \$35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) \$800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

- (1) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title;
- (2) identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and
- (3) minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local educational agencies in writing of such State-imposed rules, regulations or policies. (20 U.S.C. 1407(a); 34 CFR § 300.199)

2019 Wisconsin Act 118 revised Wisconsin State law on addressing the use of seclusion and restraint in schools. This act removed the requirement that the use of seclusion or restraint be documented in the student's IEP if reasonably anticipated, and replaced it with the requirement that the IEP team must meet within 10 school days after the second incident of seclusion or restraint in a school year to review the student's IEP. Act 118 maintained the requirement that the IEP must include appropriate positive behavioral interventions and supports based on a functional behavioral assessment of the behavior(s) of concern. WDPI has communicated this change to LEAs in writing through our Division Newsletter and Frequently asked Questions Document.

The following information was communicated in writing via Information Update Bulletin No. 06.01 to local education agencies in Wisconsin in May and modified in December 2006 and was reported in previous applications:

- LEAs are required to conduct an evaluation of a child when referred by a parent or a teacher unless one was conducted within a year. Note: Federal law does not require education agencies to conduct an evaluation for all students referred.
- LEAs must continue to notify parents of the names of individuals who will conduct evaluations, if known, but no longer are required to notify parents of evaluator's qualifications.
- Within 15 business days of receiving a special education referral for evaluation or initiating a reevaluation, the LEA must send to the child's parents either: a request for consent to evaluate the child or notice that the LEA has determined that no additional assessments are necessary. Additionally, state law now conforms to federal law and requires that within 60 days after an LEA receives parental consent for an initial evaluation or sends the notice that no additional data are needed, the LEA must determine if the child is a child with a disability. The LEA must appoint an IEP team to make the eligibility determination. Exceptions to the 60-day timeline are allowed when the child's parent repeatedly fails or refuses to produce the child for an evaluation; or the child has transferred to an LEA after the 60-day period began and, before the previous LEA completed the evaluation so long as

the subsequent LEA is making sufficient progress to ensure prompt completion of the evaluation, and the parents and subsequent LEA agree to a specific time when the evaluation will be completed. Extensions for completing evaluations no longer are allowed except in those situations noted. No extensions may be granted by DPI.

- Within 60 days after an LEA receives parental consent for a reevaluation or sends the notice that no additional data are needed, the LEA must determine if the child continues to be a child with a disability. Note: Federal law does not require the 60-day timeline for reevaluations.
- The special education teacher who participates on IEP teams must have recent training or experience related to the child's known or suspected area of special education needs. Prior to July 1, special education teachers were required to have both recent and extensive training and experience related to the child's known or suspected disability.
- As part of an evaluation, LEAs must provide information about previous interventions provided to children and the effect of those interventions.
- Within 30 days after a determination that the child is or continues to be a child with a disability, the LEA must develop an IEP and determine an educational placement.
- State law maintains the seamless process in the identification, educational planning and placement of children by making the IEP team responsible for these activities.
- If the parents or LEA staff (subject to the stated timelines above) determine at any meeting during the process of the evaluation, IEP development, or placement that additional time is needed to permit meaningful parental participation, the LEA must provide it.
- If a child is attending school in a nonresident school district under the full-time open enrollment program or in certain tuition waiver cases, the IEP team must include at least one person designated by the school board of the resident school district who has knowledge or special expertise about the child.
- LEAs are required to identify a child's particular area of impairment.
- Beginning no later than the first IEP that will be in effect when a child turns 14, and updated annually thereafter, the IEP must include a statement about appropriate, measurable postsecondary goals based on age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills and a description of transition services, including courses of study, needed to assist the student in reaching these goals. Note: Federal law requires such information for students age 16 and older.
- When an amendment is made to an IEP without an IEP team meeting, parents must receive a copy of their child's revised IEP. Note: Federal law only requires a copy of their child's revised IEP be provided when requested by the parent.

Through 2015 Wis. Act 55, if a child with a disability is attending school in a nonresident school district under Whole Grade Sharing, the IEP team must include at least one person designated by the school board of the resident school district who has knowledge or special expertise about the child.

Section V

A. Maintenance of State Financial Support

Pursuant to the authority established in IDEA section 618(a)(3), each applicant for funds under section 611 must provide the following State fiscal data with a certification of its accuracy by the State budget office or an authorized representative thereof. Amounts should be shown in whole dollars and are for the State fiscal year (SFY). States may meet the maintenance of State financial support (MFS) requirement in IDEA section 612(a)(18) and 34 CFR § 300.163 on either a total or per capita basis. In order to complete Section V.A. of the Application, States must provide in whole dollars the total amount of State financial support made available for special education and related services for children with disabilities during SFYs 2021 and 2022. However, if a State met the MFS requirement on a per capita basis, it **must** complete the first chart and then may also complete the second chart by providing, in whole dollars, the amount of State financial support made available for special education and related services per child with a disability during SFYs 2021 and 2022.

Total Amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

SFY 2021	\$477,718,708.00
SFY 2022	\$497,998,180.56

Per capita amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

SFY 2021	
SFY 2022	

State Budget Officer or Authorized Representative (Printed Name)

Signature of State Budget Officer or Authorized Representative

Date

B. Significant Disproportionality

In accordance with 34 CFR § 300.647(b)(7), each State must report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR § 300.647(d)(2), and the rationales for each, to the Department. Under § 300.647(b)(7), rationales for minimum cell sizes that exceed 10 and minimum n-sizes that exceed 30 must include a detailed explanation of why the numbers chosen are reasonable and how they ensure that the State is appropriately analyzing and identifying LEAs with significant disproportionality based on race and ethnicity, in the identification, placement, or discipline of children with disabilities. Additionally, pursuant to the authority established in IDEA section 618(a)(3), each applicant must also provide the number of years of data it uses in making annual determinations of significant disproportionality. Each applicant must provide this information by completing and submitting the Significant Disproportionality Reporting Form.

All States completed and submitted the **Significant Disproportionality Reporting** Form with their FFY 2020 IDEA Part B application. After the initial submission of the Form, a State will only be required to submit the Form with any future annual IDEA Part B State applications if the State modifies its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

If your State has revised its Significant Disproportionality procedures or has any questions regarding Section V.B. of the grant application, please contact your OSEP State Lead before the Application due date.

The State of Wisconsin has not modified its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

NOTICE TO ALL APPLICANTS: EQUITY FOR STUDENTS, EDUCATORS, AND OTHER PROGRAM BENEFICIARIES

Section 427 of the General Education Provisions Act (GEPA) ([20 U.S.C. 1228a](#)) applies to applicants for grant awards under this program.

ALL APPLICANTS FOR NEW GRANT AWARDS MUST INCLUDE THE FOLLOWING INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.

Please respond to the following requests for information:

1. Describe how your entity's existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.

The mission of the Wisconsin Department of Public Instruction (WDPI) is *to ensure that every child, regardless of zip code, has access to quality public education programs, enrichment opportunities, and special education supports, so that all of our kids can be successful*. WDPI identifies any barriers that can impede equitable access or participation particularly related to disability, gender, race, national origin, color, or age. Any equity concerns that may affect the ability of certain groups of beneficiaries to fully participate in any federally assisted program are addressed.

WDPI's mission is being fulfilled through Individuals with Disabilities Education Act (IDEA) funding in two primary ways; through IDEA discretionary grant funded projects administered by the WDPI annually and through two schools and outreach programs operated under the direction of the Wisconsin Department of Public Instruction; the Wisconsin Center for the Blind and Visually Impaired (WCBVI) and the Wisconsin Education Services Program, which includes the Wisconsin School for the Deaf (WSD) and the state's deaf-blind program.

Both the discretionary grant projects and state schools support one or more of the State Performance Plan (SPP) Indicators to ensure alignment with agency efforts balancing the achievement of compliance with state and federal special education law and improved outcomes for learners with Individual Education Programs (IEPs) and learners of color.

Equitable access to and participation in discretionary grant funded projects is supported by:

- Prioritized and increased access for Local Education Agencies (LEAs) in the state with the greatest number of learners with IEPs and learners of color to the support and services offered under each project (i.e., priority registration for professional learning, no-cost participation for LEAs federally identified for improvement under IDEA and/or the Every Student Succeeds Act (ESSA), et cetera);
- Differentiated and more intensive support and services to LEAs with federal identifications for improvement (i.e., direct collaboration with the WDPI, in-district professional learning and coaching for LEA staff, et cetera); and
- Partnerships with our Cooperative Education Service Agencies (CESAs) for the employment of service providers to ensure equitable access to support and services for LEAs in all geographic locations within the state.

Equity access to and participation in funding of the two state schools and outreach programs is supported by:

- The two state schools serve students who are blind and visually impaired, deaf and hard of hearing and deaf-blind from all areas of the state. The schools operate 24/5; transportation by bus or plane enables students to return to their homes each weekend during the school year. Both schools' curricula, teacher qualifications, hours of instruction, etc. are aligned with state and federal standards. Both schools offer

robust summer school programs, providing enrichment and experience particularly in the areas of literacy and transition;

- The schools' operations are supported both by state funding and IDEA funding. A portion of Wisconsin's IDEA discretionary funding is allocated to the state schools and is used to support students' education, access and engagement; and
- Outreach programs for eligible students who are served by their local education agencies (LEAs) were established in 1999 and 2001 through state legislation. These programs are almost wholly funded by IDEA dollars.

2. Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?

Equitable access and participation of learners, educators or other beneficiaries in our grant projects is impeded by factors including:

- The need for improved coordination to ensure the LEAs most in need of supports and services are provided those efficiently, effectively, and in a manner that ensures the greatest impact. This includes improving the alignment between grant funded projects to chart a clear path for LEAs to access the most needed support and services without gaps in service delivery and/or duplication of supports when participating in multiple grant-funded projects simultaneously;
- Challenges associated with LEA staff turn-over and staffing shortages; and
- Challenges associated with the impact of the pandemic, including increased behavioral needs in schools across Wisconsin.

Equitable access and participation of learners, educators or other beneficiaries in our state schools is impeded by factors including:

The schools are located in Janesville and Delavan, both in the southern part of the state. This can make it more difficult for IEP teams, including parents, in LEAs in the northern part of the state to consider placement. LEAs are responsible for the cost of weekend transportation. For some LEAs, the cost can be equal or close to the cost of services provided locally from an itinerant teacher and related services providers.

The schools operated virtually during the Covid-19 pandemic and enrollment fell at both schools during that time. Although numbers are increasing, growth is slower than originally anticipated.

Both schools struggle with staffing. As with many other states, Wisconsin experiences a shortage of qualified teachers, orientation and mobility specialists, interpreters, and other related services providers. Parity of salary has contributed to shortages of these and other, non-professional staff who can make more money in the private sector.

3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?

To address the barriers articulated in the discretionary grant projects, the WDPI has articulated a continuous improvement process that attends fully to compliance monitoring and effective school improvement across both IDEA and ESSA. Leveraging research on the science of implementation and evidence-based practices, the continuous improvement process establishes common ways of work that deliberately attend to implementation, improvement, and systems change, to ensure all LEAs have equitable access to effective and efficient aligned universal technical assistance (TA), and research-based, targeted and intensive training and coaching supports for implementation of evidence-based improvement strategies aligned to a root cause.

This concept leverages teams linked using data, feedback loops, and a common way of work within a continuum that includes:

- Technical assistance in which technical knowledge and expertise pertaining to information, tools, and resources for ESSA/IDEA compliance, monitoring, requirements, and activities is available to all LEAs in Wisconsin;
- Implementation and improvement supports in which a centralized, statewide approach to training and coaching for systems change based on effective implementation and improvement (I&I) processes is provided to ensure consistent, comprehensive, and differentiated implementation and improvement supports targeted to our five largest LEAs and LEAs with the most significant federal identifications under IDEA and/or ESSA;
- An Implementation Zone (IZ) in which a small number of LEAs participate in implementing a specific practice selected by the WDPI so we can learn what the barriers are and how to remove them so the practice can be scaled up statewide. This is the Indicator 17 efforts of the WDPI and is described in detail in the agency State Systemic Improvement Plan (SSIP) submitted in partial fulfillment of the IDEA Part B reporting requirements (See 2023 SPP/APR Submission Part B pp 80-89);
- Increased resources targeted at retaining and attracting staff; and
- Increased resources to provide immediate support to LEAs for addressing behavioral needs.

To address the barriers articulated within the state schools and outreach programs, the WDPI undertakes the following:

- Each year the business office calculates weekend transportation costs for LEAs. When those costs increase dramatically, either due to rising fuel costs or decreased enrollment, the WDPI has subsidized those costs with IDEA funding. A bidding process for bus transportation is undertaken regularly to secure adequate services;
- Family engagement is a priority for both schools and improvement efforts are continually underway to involve families. For example, the schools live-stream student games and plays for families who are unable to join in person;
- To address enrollment numbers, both schools are seeking to raise awareness of what they offer, using social media platforms to attract and engage families and LEA staff. Staff participate in statewide professional and family conferences to increase awareness; and
- Recent parity adjustments for many staff at both schools has and will continue to ameliorate former inequities in salary as compared to private sector jobs. The WDPI is working with IHEs in the state to increase the number of qualified teachers through the development of an induction program and through grants to IHEs training interpreters.

4. What is your timeline, including targeted milestones, for addressing these identified barriers?

The WDPI has established the following timeline for installation and implementation of the continuous improvement process:

- Increase funding in the following ways for the 2023-24 school year:
 - Increase in funding to provide more immediate support to LEAs through the Supporting Neurodiverse Students and Enhancing Social and Emotional Learning Grants;
 - Increase in funding to focus on social and emotional development for early childhood learners with disabilities through the Early Childhood Technical Assistance and Implementation Project; and
 - Funding for the development and implementation of an induction program to provide training, coaching and support for new special education teachers that will be delivered throughout the State of Wisconsin.
- By December 2023:
 - Develop a process that improves coordination to ensure alignment between grant funded projects, to chart a clear path for LEAs identified under IDEA and ESSA to access the most needed support and services without gaps in service delivery; and

- Determine additional supports required to immediately address root causes for gaps in outcomes among students with IEPs, based on stakeholder input.
- By June 2024:
 - Establish an improved decision support data system that provides better continuous review of impact and alignment of discretionary grant funded projects.

The WDPI has established the following timeline for addressing the identified barriers within the agency state schools:

- The barrier represented by distance from the schools is built in; the schools examine transportation costs each year;
- The work to improve family engagement is continuing;
- The schools continue to work to increase information about what they offer. By the beginning of the 2023-24 school year, the goal is to see numbers of students enrolling increase; and
- The WDPI is working currently with IHEs to increase the number of teachers in both blind and visually impaired and deaf and hard of hearing. An induction program has been developed to support this effort. The WDPI also is working with IHEs to establish a grant program to increase the number of interpreters in the state.

Notes:

1. Applicants are not required to have mission statements or policies that align with equity in order to submit an application.
2. Applicants may identify any barriers that may impede equitable access and participation in the proposed project or activity, including, but not limited to, barriers based on economic disadvantage, gender, race, ethnicity, color, national origin, disability, age, language, migrant status, rural status, homeless status or housing insecurity, pregnancy, parenting, or caregiving status, and sexual orientation.
3. Applicants may have already included some or all of this required information in the narrative sections of their applications or their State Plans. In responding to this requirement, for each question, applicants may provide a cross-reference to the section(s) and page number(s) in their applications or State Plans that includes the information responsive to that question on this form or may restate that information on this form.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1894-0005. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this individual collection, send your comments to ICDocketMgr@ed.gov and reference OMB Control Number 1894-0005. All other comments or concerns regarding the status of your individual form may be addressed to either (a) the person listed in the FOR FURTHER INFORMATION CONTACT section in the competition Notice Inviting Applications, or (b) your assigned program officer.