

Procedural Compliance Self-Assessment – Disproportionality Standards and Directions for Assessing Compliance

September 1, 2021

Discipline (Indicator 4B and Significant Disproportionality)

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-------------------|--|---|---|---------------------------|
| Dispro- DISC-1 | The IEP team must, in the case of a child whose behavior impedes the child’s learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior. | <p>Locate Individualized Education Program: Linking Present Levels, Needs, Goals, and Services Form (form I-4). Look at “Special Factors,” section I.C.1 If “no” is checked, enter “Not Applicable”. If “yes” is checked or neither box is checked in section I.C.1, determine whether the IEP includes positive behavioral interventions, strategies, and supports to address the behavior impeding learning.</p> <p>An IEP that includes only negative measures, such as seclusion or restraint, suspension, or detention does not meet the standard.</p> | <p><i>Student-level Noncompliance</i> Conduct a new IEP team meeting to consider the use of positive behavioral interventions, supports and other strategies to address behavior, and revise the IEP accordingly.* In determining what positive supports, interventions, and supports are needed, a functional behavioral assessment may be required. If a subsequent IEP team meeting was conducted, then first review the IEP in effect to determine whether the team considered the use of positive behavioral interventions, supports and other strategies to address behavior.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> | 34 CFR § 300.324(a)(2)(i) |

* In making changes to a student’s IEP after the annual IEP team meeting for a school year, the parent of a student with a disability and the local educational agency may agree not to convene an IEP team meeting for the purposes of making such changes, and instead may develop a written document to amend or modify the student’s current IEP. 34 CFR §300.324(a)(4). Changes to a student’s placement must be made through an IEP team meeting.

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-----------------------------|--|--|--|------------------------|
| Dispro- DISC-1 contd. | | | The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample. | |
| Dispro- DISC-2 | Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child’s IEP Team (as determined by the parent and the LEA) must review all relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability; or if the conduct in question was the direct result of the LEA’s failure to implement the IEP. | <p>Within 10 school days of any decision to change the placement of a student with a disability because of a violation of school code, the LEA, the parent, and relevant members of the student’s IEP team must conduct a manifestation determination.</p> <p>Determine whether a manifestation determination was completed within ten school days of the date of the decision to change the student’s placement. Note the ten school days is counted from the date the school district decides to move forward with a disciplinary change of placement, and not from the date the placement is changed.</p> <p>The date of the decision would be, for example,</p> <ul style="list-style-type: none"> • The date the LEA decides to proceed with expulsion, • The date the LEA decides to change the student’s placement because of a violation of school code, or • The date the LEA determines the pattern of removals constitute a change in placement. <p>Mark “Not Applicable” for this item if a disciplinary change in placement did not occur. A disciplinary change of placement occurs when the student is removed from the current placement for more than ten consecutive school days because of a violation of a code of student</p> | <p><i>Student-level Noncompliance</i> The LEA must conduct a manifestation determination if one has not been conducted.</p> <p>If the behavior is a manifestation of the student’s disability, the student must be returned to placement from which the student was removed, unless the parent and the LEA agree to a change of placement, or except in situations involving weapons, drugs, or serious bodily injury. See http://sped.dpi.wi.gov/sped_bul06-02#q17 to determine if this situation applies.</p> <p>If the behavior is a manifestation of the student’s disability, the LEA must also conduct a functional behavioral assessment (FBA), unless one was previously conducted, and implement a behavioral intervention plan (BIP).</p> <p>If a BIP has already been developed, the IEP team must review the BIP, and modify it, as necessary, to address the behavior.</p> | 34 CFR § 300.530(e)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-------------------------|---|--|---|------------------------|
| Dispro-DISC-2 contd. | | <p>conduct.</p> <p>A disciplinary change of placement also occurs if the student has been subjected to a series of removals that constitute a pattern because:</p> <ul style="list-style-type: none"> • The series of removals total more than ten school days in a school year; • The student’s behavior is substantially similar to the student’s behavior in previous incidents that resulted in a series of removals; and • Of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another. <p>Whether the series of removals constitutes a pattern is decided by the school district on a case-by-case basis and the decision should include consideration of any relevant information regarding the student’s behaviors, including, where appropriate, any information in the student’s IEP.</p> | <p>The IEP team must also consider whether compensatory services are required.</p> <p>If a manifestation determination was conducted, but it was not conducted within 10 school days, no student-level correction is required, but the LEA must take corrective action steps to ensure future compliance.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-DISC-3 | If the LEA, the parent, and relevant members of the IEP team make the determination that the conduct was a manifestation of the child’s | Examine the student’s <i>Manifestation Determination Review</i> (Form I-12) If the LEA determined the conduct was a manifestation of the student’s disability, look for evidence that the LEA conducted a functional behavioral assessment (FBA) and developed and implemented a behavioral intervention plan (BIP). If there is an existing | <i>Student-level Noncompliance</i> If the student does not have a behavioral intervention plan (BIP), the IEP team must conduct a functional behavioral assessment and develop and implement a BIP for the student. If the | 34 CFR § 300.530(f)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------|---|---|---|----------|
| Dispro-DISC-3 contd. | disability, the IEP team must conduct a functional behavioral assessment, unless one has previously been conducted, and implement a behavioral intervention plan for the child; or if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior. | <p>BIP, look for evidence that the IEP team reviewed and modified the plan, as necessary, to address the student's behavior.</p> <p>Mark “Not Applicable” for this item if the removals did not result in a disciplinary change in placement as defined in item Dispro-DISC- 2.</p> <p>Mark “Not Applicable” for this item if it was determined the conduct was not a manifestation of the student’s disability</p> | <p>student already has a BIP, the IEP team must meet to review the plan, and revise as necessary to address the student’s behavior. The IEP team must also consider whether compensatory services are required.</p> <p><i>Current Compliance</i></p> <p>The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Indicator 9/Significant Disproportionality in Identification

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------|--|---|---|------------------------|
| | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro-SPED-1 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in reading.</p> <p>Appropriate instruction includes access to State content standards and essential components of reading instruction, which means explicit and systematic instruction in:</p> <ul style="list-style-type: none"> (a) Phonemic awareness; (b) Phonics; (c) Vocabulary development; (d) Reading fluency, including oral reading skills; and (e) Reading comprehension strategies. <p>The lack of appropriate reading instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in reading. If lack of appropriate instruction in reading is the determining factor, the IEP team must determine the student is not eligible for special education. The IEP team must document modifications that can be made in the regular education program to allow the student to meet the educational reading standards (Form ER-1, <i>Evaluation Report</i>).</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> | 34 CFR § 300.306(b)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------|--|--|---|-------------------------------|
| Dispro-SPED-1 contd. | | <p>documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate reading instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate reading instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate reading instruction and this was the determinant factor for the determination of a disability.</p> | <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-SPED-2 | <p>A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in math.</p> | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in math.</p> <p>Appropriate instruction includes access to State content standards.</p> <p>The lack of appropriate math instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in math. If lack of appropriate instruction in math is the determining factor, the IEP team must determine the student is not eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies,</p> | <p>34 CFR § 300.306(b)(2)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-------------------------|---|--|---|-------------------------------|
| Dispro-SPED-2 contd. | | <p>standards, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack appropriate math instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate math instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate math instruction and this was the determinant factor for the determination of a disability.</p> | <p>practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-SPED-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully | Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality | <i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special | 34 CFR 300.306(c)(i) and (ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------|---|---|--|----------|
| Dispro-SPED-3 contd. | consider information about the child’s social or cultural background. | <p>Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p>education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Autism – Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|--------------|--|---|--|------------------------|
| | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro-AUT-1 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in reading.</p> <p>Appropriate instruction includes access to State content standards and essential components of reading instruction, which means explicit and systematic instruction in:</p> <ul style="list-style-type: none"> (a) Phonemic awareness; (b) Phonics; (c) Vocabulary development; (d) Reading fluency, including oral reading skills; <p style="text-align: center;">and</p> <ul style="list-style-type: none"> (e) Reading comprehension strategies. <p>The lack of appropriate reading instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in reading. If lack of appropriate instruction in reading is the determining factor, the IEP team must determine the student is not eligible for special education. The IEP team must document modifications that can be made in the regular education program to allow the student to meet the educational reading standards (Form ER-1, <i>Evaluation Report</i>).</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review</p> | 34 CFR § 300.306(b)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------------------------|---|--|---|------------------------|
| Dispro-AUT-1 contd. | | <p>compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate reading instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate reading instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate reading instruction and this was the determinant factor for the determination of a disability.</p> | <p>to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-AUT-2 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in math. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in math.</p> <p>Appropriate instruction includes access to State content standards.</p> <p>The lack of appropriate math instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including</p> | <p><i>Student-level Noncompliance</i></p> <p>The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in math. If lack of appropriate instruction in math is the determining factor, the IEP team must determine the student is not eligible for special education.</p> <p><i>Current Compliance</i></p> | 34 CFR § 300.306(b)(2) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------------|----------------------|--|--|----------|
| Dispro- AUT-2 contd. | | <p>home-based) placement with no access to State content standards, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack appropriate math instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate math instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate math instruction and this was the determinant factor for the determination of a disability.</p> | <p>The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|--------------|---|--|--|-------------------------------|
| Dispro-AUT-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about the child’s social or cultural background. | <p>Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | 34 CFR 300.306(c)(i) and (ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Intellectual Disability – Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-----------------|--|---|--|------------------------|
| | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro- ID-1 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in reading.</p> <p>Appropriate instruction includes access to State content standards and essential components of reading instruction, which means explicit and systematic instruction in:</p> <ul style="list-style-type: none"> (a) Phonemic awareness; (b) Phonics; (c) Vocabulary development; (d) Reading fluency, including oral reading skills; and (e) Reading comprehension strategies. <p>The lack of appropriate reading instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in reading. If lack of appropriate instruction in reading is the determining factor, the IEP team must determine the student is not eligible for special education. The IEP team must document modifications that can be made in the regular education program to allow the student to meet the educational reading standards (Form ER-1, <i>Evaluation Report</i>).</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review</p> | 34 CFR § 300.306(b)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------------|---|--|--|------------------------|
| Dispro- ID-1 contd. | | <p>compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate reading instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate reading instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate reading instruction and this was the determinant factor for the determination of a disability.</p> | <p>to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro- ID-2 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in math. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in math.</p> <p>Appropriate instruction includes access to State content standards.</p> <p>The lack of appropriate math instruction may be due to many factors, including but not limited to: student</p> | <p><i>Student-level Noncompliance</i></p> <p>The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in math. If lack of appropriate instruction in math is the determining factor, the IEP team must determine the student is not eligible for special education.</p> | 34 CFR § 300.306(b)(2) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------------|----------------------|--|---|----------|
| Dispro- ID-2 contd. | | <p>absences, student mobility, private school (including home-based) placement with no access to State content standards, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack appropriate math instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate math instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if there is evidence that the IEP team determined that the student lacked appropriate math instruction and this was the determinant factor for the determination of a disability.</p> | <p><i>Current Compliance</i></p> <p>The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-------------|---|--|--|-------------------------------|
| Dispro-ID-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about the child’s social or cultural background. | <p>Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | 34 CFR 300.306(c)(i) and (ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Emotional Behavioral Disability– Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------------|--|---|---|---------------------------|
| Dispro- ID-3 contd. | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro- EBD-1 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in reading.</p> <p>Appropriate instruction includes access to State content standards and essential components of reading instruction, which means explicit and systematic instruction in:</p> <ul style="list-style-type: none"> (a) Phonemic awareness; (b) Phonics; (c) Vocabulary development; (d) Reading fluency, including oral reading skills; and (e) Reading comprehension strategies. <p>The lack of appropriate reading instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in reading. If lack of appropriate instruction in reading is the determining factor, the IEP team must determine the student is not eligible for special education. The IEP team must document modifications that can be made in the regular education program to allow the student to meet the educational reading standards (Form ER-1, <i>Evaluation Report</i>).</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> | 34 CFR § 300.306(b)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------------|--|--|--|-------------------------------|
| Dispro- EBD-1 contd. | | <p>documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate reading instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate reading instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if there is evidence that the IEP team determined that the student lacked appropriate reading instruction and this was the determinant factor for the determination of a disability.</p> | <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro- EBD-2 | <p>A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in math.</p> | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in math.</p> <p>Appropriate instruction includes access to State content standards.</p> <p>The lack of appropriate math instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in math. If lack of appropriate instruction in math is the determining factor, the IEP team must determine the student is not eligible for special education.</p> <p><i>Current Compliance</i></p> | <p>34 CFR § 300.306(b)(2)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------------|----------------------|--|--|----------|
| Dispro- EBD-2 contd. | | <p>home-based) placement with no access to State content standards, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack appropriate math instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate math instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if there is evidence that the IEP team determined that the student lacked appropriate math instruction and this was the determinant factor for the determination of a disability.</p> | <p>The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

**Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021**

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------------------|---|--|--|-------------------------------------|
| Dispro- EBD-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about the child’s social or cultural background. | <p>Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | 34 CFR 300.306(c)(i) and (ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Other Health Impairment– Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------|--|---|--|------------------------|
| Dispro-EBD-3 contd. | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro-OHI-1 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in reading.</p> <p>Appropriate instruction includes access to State content standards and essential components of reading instruction, which means explicit and systematic instruction in:</p> <ul style="list-style-type: none"> (a) Phonemic awareness; (b) Phonics; (c) Vocabulary development; (d) Reading fluency, including oral reading skills; <p style="text-align: center;">and</p> <ul style="list-style-type: none"> (e) Reading comprehension strategies. <p>The lack of appropriate reading instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in reading. If lack of appropriate instruction in reading is the determining factor, the IEP team must determine the student is not eligible for special education. The IEP team must document modifications that can be made in the regular education program to allow the student to meet the educational reading standards (Form ER-1, <i>Evaluation Report</i>).</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review</p> | 34 CFR § 300.306(b)(1) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------------------------|---|--|--|------------------------|
| Dispro-OHI-1 contd. | | <p>compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate reading instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate reading instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if there is evidence that the IEP team determined that the student lacked appropriate reading instruction and this was the determinant factor for the determination of a disability.</p> | <p>to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-OHI-2 | A child must not be determined to be a child with a disability if the determinant factor for that determination is lack of appropriate instruction in math. | <p>The IEP team may not determine a student to be a student with a disability if the determinant factor is lack of appropriate instruction in math.</p> <p>Appropriate instruction includes access to State content standards.</p> <p>The lack of appropriate math instruction may be due to many factors, including but not limited to: student</p> | <p><i>Student-level Noncompliance</i></p> <p>The IEP team must conduct a special education evaluation and consider the lack of appropriate instruction in math. If lack of appropriate instruction in math is the determining factor, the IEP team must determine the student is not eligible for special education.</p> | 34 CFR § 300.306(b)(2) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------|----------------------|--|--|----------|
| Dispro-OHI-2 contd. | | <p>absences, student mobility, private school (including home-based) placement with no access to State content standards, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack appropriate math instruction.</p> <p>Even if you find evidence that the IEP team determined the student lacked appropriate math instruction, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> <p>Mark “No” if the there is evidence that the IEP team determined that the student lacked appropriate math instruction and this was the determinant factor for the determination of a disability.</p> | <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|--------------|---|--|--|-------------------------------|
| Dispro-OHI-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about the child’s social or cultural background. | <p>Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | 34 CFR 300.306(c)(i) and (ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Speech and Language – Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------------------------|--|---|--|------------------------|
| Dispro-OHI-3 contd. | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| Dispro-SL-1 | The IEP team may not identify a child whose speech or language difficulties result from dialectical differences or from learning English as a second language, unless the child has a language impairment in his or her native language. | Mark “Not Applicable” if the student’s native language is English. For all other students, review the student’s evaluation file and/or interview persons involved in the evaluation. Mark “Yes” if the evidence indicates the student demonstrated speech and language problems in both English and the native language, and language loss in the native language is not a causal factor. Mark “No” if the evidence indicates the student only demonstrated speech and language problems in English. | <i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider whether the child’s language difficulties are a result of dialectical differences or from learning English as a second language. If so, the IEP team must determine the student is not eligible for special education. <i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA. If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality. The LEA must take action to ensure future compliance including | PI 36.6(5)(c)(3) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|--------------------|---|---|--|----------------------------|
| Dispro-SL-1 contd. | | | implementing a system of internal controls. The department will verify current compliance on a new student record sample. | |
| Dispro-SL-2 | Each public agency must ensure that assessments and other evaluation materials used to assess a child are provided and administered in the child’s native communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally. | <p>Mark “Not Applicable” if the student has been determined to be fully English proficient pursuant to PI 13.08(6). See Appendix A of Speech and Language Assessment of Linguistically Culturally Diverse: Spanish Speaking, http://sped.dpi.wi.gov/files/sped/pdf/sl-lcd-spanish-speaking.pdf</p> <p>Mark “Yes” if assessments and other evaluation materials used to assess a child are provided and administered in the native language. Evidence may be found by reviewing the student’s evaluation file and/or conducting interviews of staff completing the evaluation. Assessments and evaluation materials may consist of informal measures (including descriptive or dynamic approaches), and formal measures (including appropriately standardized tests). For examples and additional technical assistance, <i>see</i> Speech and Language Assessment of Linguistically Culturally Diverse: Spanish Speaking, http://sped.dpi.wi.gov/files/sped/pdf/sl-lcd-spanish-speaking.pdf.</p> <p>The use of assessments and evaluation materials in English is permissible as long as assessments and evaluations materials in the native language were</p> | <p><i>Student-level noncompliance</i> The IEP team must conduct a special education evaluation using assessments and other evaluation materials provided and administered in the child’s native or other mode of communication and in the form most likely to yield accurate information.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | 34 CFR § 300.304(c)(1)(ii) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------------|--|---|---|--|
| Dispro- SL-2 contd. | | <p>also used.</p> <p>Mark “No” if the student’s native language is Spanish and Spanish language assessments or materials were not used.</p> <p>If the student’s native language is not English or Spanish, then mark “No” if native language assessments or materials were not used and it was clearly feasible to do so. Otherwise, mark “Yes.”</p> | | |
| Dispro - SL-3 | <p>In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about the child’s social or cultural background.</p> | <p>Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1,</p> | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student</p> | <p>34 CFR 300.306(c)(i) and (ii)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|---------------------------|----------------------|--|----------------|----------|
| Dispro- SL-3 contd. | | Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background. | record sample. | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Specific Learning Disability – Indicator 10 and Significant Disproportionality

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------|---|---|------------|---------------------------|
| | A reevaluation must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. | NO SAMPLE DATA COLLECTION Report the total number of three-year reevaluations that were due and the total number of three-year reevaluations that were waived pursuant to an agreement between the LEA and the parent. | | 34 CFR § 300.303(b)(2) |
| | Rate of progress during intensive intervention is insufficient when any of the following are true: the rate of progress of the referred child is the same or less than that of his or her same-age peers; the referred child’s rate of progress is greater than that of his or her same-age peers; the referred child’s rate of progress is greater than that of his or her same-age peers but will not result in the referred child reaching the average range of his or her same-age peer’s achievement for that area of potential disability in a reasonable period of time; or the referred child’s rate of progress is greater than that of his or her | SAMPLE DATA COLLECTION | | PI 11.36(6)(c)(2)(a) |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|------------------|--|---|---|-------------------------|
| | same-age peers, but the intensity of the resources necessary to obtain this rate of progress cannot be maintained in general education. | | | |
| Dispro- SLD-1 | At least two intensive, scientific, research-based or evidence-based interventions (SRBIs) were implemented with adequate fidelity and closely aligned to individual student learning needs. | <p>Two SRBIs must be implemented in each area of SLD concern under consideration. SRBIs may be completed before or after referral. The standards for SRBIs include:</p> <ul style="list-style-type: none"> • Scientific research-based or evidence-based (substantial documented scientific evidence of effectiveness) • Use with individual or small groups • Focus on single or small number of discrete skills closely aligned to individual learning needs (aligned with area of SLD concern) • Culturally responsive • Provide a substantial number of instructional minutes beyond what is provided to all students • Implemented with adequate fidelity <ul style="list-style-type: none"> ○ Applied in a manner highly consistent with its design ○ At least 80% of the recommended number of weeks, sessions, minutes <p>Locate the IEP team Evaluation Report and Required Documentation for SLD- Initial Evaluation (ER-1 and ER-2A). If the evidence provided in the evaluation report records is not sufficient to determine if two SRBIs were implemented in each area of concern, then the district may use other available data (such as information from a school’s MLSS/RtI system, student attendance records, and teacher maintained intervention notes). Anecdotal information is not sufficient.</p> | <p><i>Student-level noncompliance</i> The IEP team must conduct a special education evaluation following at least two, intensive, scientific, research-based or evidence-based interventions (SRBIs) implemented with adequate fidelity and closely aligned to individual student learning needs.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | PI 11.36(6)(c)(2)(a) |

**Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021**

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-------------------|---|---|--|-------------------------------------|
| Dispro- SLD-2 | When determining whether students have demonstrated insufficient progress, IEP teams shall use data from weekly or more frequent progress monitoring to evaluate the student’s rate of progress during SRBIs. | <p>For the purpose of making initial SLD eligibility decisions, progress monitoring data must be collected at least weekly during two SRBIs. Progress monitoring data must be collected using probes that provide valid and reliable information that can be used by the IEP team to compare the student’s progress with that of same age/grade peers using least squares regression analysis. Progress monitoring data must be collected for each area of concern under consideration.</p> <p>Locate the IEP team Evaluation Report and Required Documentation for SLD- Initial Evaluation (ER-1 and ER-2A). If the evidence provided in the evaluation report records is not sufficient to determine if the IEP team considered progress monitoring probe data at the student’s age/grade level collected at least weekly during SRBIs, then the district may use other available documentation (such as data from a school’s MLSS/RtI system and teacher /interventionist maintained intervention records). Anecdotal information is not sufficient.</p> | <p><i>Student-level noncompliance</i> The IEP team must conduct a special education evaluation that includes the consideration of progress monitoring probe data at the student’s grade level, collected at least weekly during at least two, intensive, scientific, research-based or evidence-based interventions in each area of concern under consideration.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | PI 11.36(6)(c)(2)(a) |
| Dispro - SLD-3 | In interpreting evaluation data for the purpose of determining if a child is a child with a disability each public agency must document and carefully consider information about | Culture describes how people live on a daily basis in terms of language, ancestry, religion, food, dress, musical tastes, traditions, values, political and social affiliations, recreation, and so on. (Singleton, 2006; adopted by the Wisconsin RtI Center and the | <p><i>Student-level Noncompliance</i> The IEP team must conduct a special education evaluation and consider information about the child’s social or cultural background in determining whether the child is eligible for special education.</p> | 34 CFR 300.306(c)(i) and (ii) |

**Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021**

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|-----------------------|--|--|---|--|
| Dispro - SLD-3 contd. | the child’s social or cultural background. | <p>Disproportionality Technical Assistance Center, 2013).</p> <p>Mark “Yes” if the ER-1, Evaluation Report, contains documentation of the IEP team’s consideration of the child’s social or cultural background during the IEP team meeting to determine eligibility.</p> <p>Even if you do not find evidence on the ER-1, you may mark “Yes” if the IEP team used <i>Culturally Responsive Practices in Schools: The Checklist to Address Disproportionality</i>, Section III (Madison Metropolitan School District, University of Wisconsin-Oshkosh, and the Wisconsin Department of Public Instruction, 2007).</p> <p>Mark “No” if you do not find evidence on the ER-1, Evaluation Report, or other evaluation documents that interpret the evaluation data for purposes of eligibility determination, that the IEP team considered the child’s social or cultural background.</p> | <p><i>Current Compliance</i></p> <p>The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro- SLD-4 | The IEP team determines its findings regarding insufficient progress and inadequate achievement are not primarily the result of lack of appropriate instruction in the identified area(s) of concern: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, | <p>The IEP team may not determine a student to be a student with a specific learning disability (SLD) if the determinant factor is a lack of appropriate instruction in one or more of the eight areas of SLD concern.</p> <p>Appropriate instruction includes access to State content standards for the area(s) of concern.</p> <p>Appropriate instruction in reading includes the essential components of reading instruction, which means explicit and systematic instruction in:</p> <p>(a) Phonemic awareness;</p> | <p><i>Student-level noncompliance</i></p> <p>The IEP team must conduct a special education evaluation to determine whether the student’s insufficient progress and inadequate classroom achievement are not primarily the result of lack of appropriate instruction in the identified area(s) of concern. If a lack of appropriate instruction is the primary reason for the insufficient progress and inadequate achievement, the student cannot be determined eligible as having</p> | 34 CFR § 300.309(a)(3)(iv), (v) and (vi) and 34 CFR § 300.311(a)(6) and PI 11.36(6)(d)1.b. |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------------|--|---|---|----------|
| Dispro- SLD-4 contd. | reading comprehension, mathematics calculation, or mathematics problem solving or limited English proficiency. | <p>(b) Phonics;</p> <p>(c) Vocabulary development;</p> <p>(d) Reading fluency, including oral reading skills; and</p> <p>(e) Reading comprehension strategies.</p> <p>The lack of appropriate instruction may be due to many factors, including but not limited to: student absences, student mobility, private school (including home-based) placement with no access to State content standards and essential components of reading instruction, etc.</p> <p>There are two sources of evidence to determine compliance with this requirement. First, you may find documentation of the IEP team’s determination in several places throughout the evaluation process: Referral Form (R-1), Notice that No Additional Assessments Needed (IE-2), Notice and Consent regarding Need to Conduct Additional Assessments (IE-3), Evaluation Report (ER-1), Required Documentation for Specific Learning Disability (ER-2A), and/or Eligibility Checklists. Second, you may need to interview IEP team members.</p> <p>Mark “Yes” if there is evidence that the IEP team determined that the student did not lack in appropriate instruction in the area(s) of concern.</p> <p>Even if you find evidence that the IEP team determined the student lacked in appropriate instruction in the area(s) of concern, you may still be able to mark “Yes” if there also is evidence that the IEP team decided that the lack was not the determinant factor for the determination of a disability.</p> | <p>a specific learning disability.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| Item | Compliance Statement | Standards and Directions | Correction | Citation |
|----------------------------|----------------------|--|------------|----------|
| Dispro- SLD-4 contd. | | Mark “No” if the there is evidence that the IEP team determined that the student lacked in appropriate instruction in the area(s) of concern and this was the determinant factor for the determination of a disability. | | |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

Significant Disproportionality – Placement

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

| | | | | |
|----------------------|---|---|---|---|
| <p>Dispro-PLAC-1</p> | <p>If the student’s IEP includes supplementary aids and services, the statement of supplementary aids and services designed to address the student’s needs must be stated in a manner appropriate to the services and must include anticipated frequency, including the amount.</p> | <p>Supplementary aids and services refers to aids, services, and other supports (accommodations) that are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings. The services must be stated in the IEP so the level of the LEA’s commitment of resources is clear to the parents and other IEP team members. The amount of time to be committed to each service must be appropriate to the specific service and stated in a manner that can be understood by all involved in developing and implementing the IEP.</p> <p>In the case where it is impossible or inappropriate to describe supplementary aids and services in daily or weekly allotments of time, the IEP must clearly describe the circumstances under which the service will be provided. Statements such as “as needed,” “as deemed necessary,” “when appropriate,” “upon student request,” or “available daily” do not make clear the LEA’s level of commitment of resources. Specific objective criteria should be used to describe when a particular service will be provided. This information makes it clear when the services must be provided, and for how much and how long.</p> <p>Locate the student’s Individualized Education Program: Linking Present Levels, Needs, Goals, and Services Form (I-4). Review sections I.F. and IV.A. Mark “Yes” if “None needed” is marked in IV.A. (Program Summary).</p> | <p><i>Student-level noncompliance</i> Conduct a new IEP team meeting to revise the IEP to ensure the statement of supplementary aids and services include anticipated frequency and amount. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | <p>34 CFR §300.320(a)(4), §300.320(a)(7); Wis. Stat. §115.787(2)(c)&(f)</p> |
|----------------------|---|---|---|---|

**Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021**

| | | | | |
|----------------------|---|--|---|---|
| Dispro-PLAC-1 contd. | | <p>Mark “Yes” if the IEP describes the amount and frequency of each supplementary aid and service in accordance with the standards stated above.</p> <p>Mark “No” if the IEP does not describe the amount and frequency each supplementary aid and service in accordance with the standards stated above.</p> | | |
| Dispro-PLAC-2 | <p>The statement of specially designed instruction to address the student’s needs must include anticipated frequency, including the amount.</p> | <p>Special education is specially designed instruction adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student’s disability. The specially designed instruction must be stated in the IEP so the level of the LEA’s commitment of resources is clear to the parents and other IEP team members. The amount of time to be committed to the special education must be appropriate to the specific service and stated in a manner that can be understood by all involved in developing and implementing the IEP. Whenever possible, the IEP should describe specially designed instruction using allotments of time. For example, “20 minutes three times per week,” “40 minutes per week” or “1 hour daily” are acceptable statements.</p> <p>The amount of time may be stated as a narrow range, but only if the student’s IEP team determines a narrow range is necessary to meet the unique needs of the student. A narrow range may not be used for administrative convenience, such as personnel shortages or uncertainly regarding the availability of staff. The range also cannot be unreasonably wide (generally not more than 15 minutes), because this does not provide a clear commitment of resources. For example, an acceptable description might be “three times per week for 30-45 minutes per session, depending on the student’s ability to attend to the</p> | <p><i>Student-level noncompliance</i> Conduct a new IEP team meeting to revise the IEP to ensure the statement of specially designed instruction includes the anticipated frequency and amount. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | <p>34 CFR §300.320(a)(4), §300.320(a)(7); Wis. Stat. §115.787(2)(c)&(f)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| | | | | |
|----------------------|--|---|---|---|
| Dispro-PLAC-2 contd. | | <p>instruction.”</p> <p>Stating the amount of specially designed instruction as a minimum and/or a maximum is not acceptable because it is not a clear commitment of resources, e.g., “a minimum of 15 minutes three times per week.”</p> <p>Locate the student’s Individualized Education Program: Linking Present Levels, Needs, Goals, and Services Form (I-4). Review sections I.F. and IV.B.</p> <p>Mark “Yes” if the IEP describes the amount and frequency of the specially designed instruction in accordance with the standards stated above.</p> <p>Mark “No” if the IEP does not describe the amount and frequency of the specially designed instruction addressing the student’s needs in accordance with the standards stated above.</p> | | |
| Dispro-PLAC-3 | <p>If the student’s IEP includes related services, the statement of related services must include anticipated frequency, including the amount.</p> | <p>Related services include transportation and such developmental, corrective, and other supportive services as are required to assist a student with a disability to benefit from special education. The services must be stated in the IEP so the level of the LEA’s commitment of resources is clear to the parents and other IEP team members. The amount of time to be committed to each service must be appropriate to the specific service and be stated in a manner that can be understood by all involved in developing and implementing the IEP. Whenever possible, the IEP should describe related services using allotments of time.</p> | <p><i>Student-level Noncompliance</i> Conduct a new IEP team meeting to revise the IEP to ensure the statement of related services include anticipated frequency and amount. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program</p> | <p>34 CFR §300.320(a)(4), §300.320(a)(7); Wis. Stat. §115.787(2)(c)&(f)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| | | | | |
|-----------------------------|--|--|--|--|
| <p>Dispro-PLAC-3 contd.</p> | | <p>In the case where it is impossible to describe related services in daily or weekly allotments of time, the IEP must clearly describe the circumstances under which the service will be provided. Statements such as “as needed,” “as deemed necessary,” “when appropriate,” “upon student request,” or “available daily” do not make clear the LEA’s level of commitment of resources. Specific objective criteria should be used to describe when a particular service will be provided and for how long. This information makes it clear when the services must be provided.</p> <p>The amount of time may be stated as a narrow range, but only if the student’s IEP team determines stating the amount of services as a narrow range is necessary to meet the unique needs of the student. A narrow range may not be used for administrative convenience, such as personnel shortages or uncertainty regarding the availability of staff. The range also cannot be unreasonably wide (generally not more than 15 minutes), because this does not provide a clear commitment of resources. For example, an acceptable description might be “three times per week for 30-45 minutes per session, depending on the student’s ability to attend.” Stating the amount of service as a minimum and/or a maximum is not acceptable because it is not a clear commitment of resources, e.g., “a minimum of 15 minutes three times per week.”</p> <p>Locate the student’s Individualized Education</p> | <p>review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
|-----------------------------|--|--|--|--|

**Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021**

| | | | | |
|----------------------|---|---|---|--|
| Dispro-PLAC-3 contd. | | <p>Program: Linking Present Levels, Needs, Goals, and Services Form (I-4). Review sections I.F and IV.C.</p> <p>Mark “Yes” if “None Needed” is marked in IV.C. (Program Summary). Mark “Yes” if the IEP describes the amount and frequency of each related service in accordance with the standards stated above.</p> <p>Mark “No” if the IEP does not describe the amount and frequency of each of the specified related services in accordance with the standards stated above.</p> | | |
| Dispro-PLAC-4 | <p>The IEP describes the extent, if any, to which the student will not participate with non-disabled students in the regular education environment.</p> | <p>The purpose of this requirement is to ensure that the IEP clearly describes the amount the student will be removed from the general education environment. This addresses where the student will be taught, not what he or she will be taught. To the maximum extent appropriate, students with disabilities must be educated with nondisabled peers. Removal from the general education environment must only occur when the student cannot be satisfactorily educated in that environment with the use of supplementary aids and services. The IEP team should consider the entire school day (lunch, recess, specialized transportation, testing, and other non-academic activities) when determining removal. To determine if the IEP consistently describes the extent of removal, review IV. and V.A.</p> <p>Each service in the program summary sections must include a location which clearly indicates whether the service will be provided in the general education or special education environment. Sometimes the extent of removal is unclear because the location of the</p> | <p><i>Student-level noncompliance</i> Conduct an IEP team meeting to revise the IEP to describe the extent, if any, to which the student will not participate with nondisabled students in the general education environment. The department will verify correction of student-level non-compliance.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure</p> | <p>34 CFR 300.320 (a)(5), §300.114 (a)(2), § 300.116; Wis. Stat. § 115.787(2)(d)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| | | | | |
|----------------------|--|---|---|--|
| Dispro-PLAC-4 contd. | | <p>services is listed as both the regular and special education environment without a description of when removal will occur in each location.</p> <p>Furthermore, if the description under V.A. is not consistent with the extent of removal specified in the program summary, then this requirement would also not be met.</p> <p>Locate the student’s Individualized Education Program: Linking Present Levels, Needs, Goals, and Services Form (I-4). Review sections IV. and V.A.</p> <p>Mark “Yes” if in V.A. the box is checked indicating that the student will participate full-time with their non-disabled peers in the regular education environment.</p> <p>Mark “Yes” if IV. and V.A. consistently and clearly describe the extent to which the student will not participate in the regular education environment.</p> <p>Mark “No” if IV. and V.A. do not consistently and clearly describe the extent to which the student will not participate in the regular education environment.</p> | <p>future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
| Dispro-PLAC-5 | <p>If the student is removed from the general education environment, documentation is provided that the IEP team considered whether the student’s needs could be met in the general education environment with the provision of supplementary aids and supports.</p> | <p>Removal from the general education environment must only occur when the student cannot be satisfactorily educated in that environment with the use of supplementary aids and services.</p> <p>If the student will not participate full-time with non-disabled peers, the IEP team must describe the extent of removal and provide an explanation of why the student will not participate full time in regular education classes, extracurricular and nonacademic</p> | <p><i>Student-level noncompliance</i> Conduct an IEP team meeting to revise the IEP to provide documentation that the IEP team considered whether the student’s needs could be met int the general education environment with the provision of supplementary aids and supports. The department will verify correction of student-level non-</p> | <p>34 CFR § 300.114(a)(2), § 300.116; Wis. Stat. § 115.787(2)(d)</p> |

Procedural Compliance Self-Assessment – Disproportionality
Standards and Directions for Assessing Compliance
September 1, 2021

| | | | | |
|---------------------------------------|--|---|---|--|
| <p>Dispro- PLAC- 5 contd.</p> | | <p>activities, and/or workplace settings, as appropriate.</p> <p>Locate the student’s Individualized Education Program: Linking Present Levels, Needs, Goals, and Services Form (I-4). Review section V.A.</p> <p>Mark “Yes” if in V.A. the box is checked indicating that the student will participate full-time with their non-disabled peers in the regular education environment.</p> <p>Mark “Yes” if V.A. contains documentation that the IEP team considered whether the student’s need could be met in the general education environment with the provision of supplementary aids and supports.</p> <p>Mark “No” if you do not find evidence in section V.A., or any other IEP documents, that the IEP team considered whether the student’s needs could be met in the general education environment with the provision of supplementary aids and supports.</p> | <p>compliance.</p> <p><i>Current Compliance</i> The district must review its policies, practices, and procedures to ensure compliance with Part B of IDEA.</p> <p>If the district identifies race-based patterns of noncompliance, then the district must conduct a program review to address the disproportionality.</p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p> | |
|---------------------------------------|--|---|---|--|