

DPI Updates
WCASS Winter Conference
February 2012

Personnel Updates

- We continue to look very different as we start another new year. We are pleased to welcome a number of new employees since we saw you last and introduced eleven new staff in November. They are:
 - Steve Greene: IT
 - Scott Brown: SLD consultant
 - Peggy Roush: SLD trainer

Medicaid School-Based Services (SBS) and Medicaid Administrative Claiming (MAC)

- The Department of Health Services (DHS) reimbursed districts \$17,275,936 during the 2010-11 school year and \$26,888,266 during the 2011-12 school year (through 12/22/11).
- DHS has paid on SBS through 2008-09 and MAC through 2009-10.
- DHS's third-party vendor, Public Consulting Group, is working with the districts on SBS for 2009-10, and DHS anticipates settling 2009-10 by June 30, 2012.
- DHS cautions districts against using payments from the 2010-11 and 2011-12 school years as budget guideposts. During these two years, payments to districts included backlogs of cost settlements and likely inflated the overall payments.

Office of Civil Rights

- On January 19, the U.S. Department of Education, Office for Civil Rights (OCR) released guidance regarding the Americans with Disabilities Act Amendment's impact on public elementary and secondary education programs. The guidance discusses how Section 504 and the ADA amendments define disability and the obligation of LEAs to evaluate students for disability, provide FAPE to students with disabilities, and provide procedural safeguards for identification, evaluation, and educational placement. See links below.
 - Dear Colleague Letter:
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201109.html>
 - Questions and Answers Document:
<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html>

Seclusion/Restraint

- Senator Luther Olsen and Rep. Steve Kestell heard testimony on a bill governing the use of seclusion and restraint on January 10th and 11th. We expect it to become law with no amendments.
- Since last May, the department has issued three IDEA complaint decisions regarding the use of seclusion and/or restraint. Through complaint investigations, the department is continuing to see more awareness of and better implementation of DPI's directives on the appropriate use of seclusion and restraint.

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Wisconsin Special Education Mediation System

- Wisconsin was recognized at CADRE's national symposium on effective practices in October. Wisconsin was one of four states to receive this national recognition for its special education dispute resolution system. The profile on Wisconsin can be found on CADRE's website, <http://www.directionservice.org/cadre/>.

The Wisconsin Special Educator Recruitment Initiative

- In order to participate in this initiative and to receive an overview of the Teachers-Teachers.com service, you are invited to register your LEA at www.teachers-teachers.com/wisconsin.
- If you need additional information, please contact Louise Wrage, at lwrage@teachers-teachers.com or (877) 812-4071 ext. 89, or at DPI, please contact Claudia Kessel, Grants Specialist, at claudia.kessel@dpi.wi.gov or (608) 267-2349.

Assessment

- The 2011-2012 WSAS Results will be mailed to LEAs February 17th, 2012.
- The *SMARTER Balanced Assessment Consortium* (SBAC) continues its work to develop a new assessment aligned to the Common Core State Standards (CCSS).
- Similarly, the *Dynamic Learning Maps Consortium* (DLM)'s work to create alternate achievement standards and assessment aligned to the CCSS continues.
- Wisconsin submitted a second round of Common Core Essential Elements (CCEE) English Language Arts (ELA) feedback (on a 600+ page document!) to DLM consortium in January.
- Wisconsin submitted feedback on CCEE Math in December.
- CCEE feedback for both Math and ELA are now being reviewed and considered.
- Upcoming presentations on the CCEE: *essential elements*
 - February 21: WI Math Leadership Council
 - March 16: WI School Psychologist Association Conference, La Crosse, WI
 - March 21: RSN meeting
 - May 3: WI Math Council
- CCEE should be finalized in spring 2012 followed by formal adoption.
- In October, we released the *Accommodations Guide for Students with Disabilities*.
 - This guide is a collaborative effort between members from the Office of Educational Accountability and Special Education. It is intended to provide support in selecting, administering, and evaluating the effectiveness of both instructional and assessment accommodations used by students with disabilities. We are accepting feedback and comments from educators in the field. The guide may be found in our "What's New" section of the Special Education team's website.
- The department encourages special education staff to participate in CCSS training with their general education counterparts. It is important for special educators to understand the CCSS as they relate to core instruction for all students. We will be developing more materials around this issue.

Speech/Language Shortage Issue

- The department continues to provide technical assistance to LEAs around the appropriate utilization of paraprofessionals (special education program aides) to support speech and language services.
- The State Superintendent's Cabinet approved the creation of a new category of personnel in speech and language at the bachelor's level through PI 43.08: *Experimental and Innovative Programs*.
- The department will work with stakeholders, including WCASS, for the purpose of determining the educator preparation program content guidelines.

Fiscal Monitoring Update

- Maintenance of Effort (MOE)
 - We are completing compliance monitoring for fiscal year 2010-11, with only a few districts failing to meet compliance. We are checking MOE eligibility for 2011-12, which is the comparison of the current year's local special education budget compared to local expenditures made last year (2010-11). This has been an intensive review to ensure that LEAs remain in compliance.
 - LEAs may check eligibility status in the web-based MOE report; we also will send emails to each LEA identifying whether they have met eligibility.
- Allocation Cuts
 - There may or there may not be a decrease in the fiscal year 2011-12 allocation. We have no information on if, what or when the cuts would occur. LEAs should plan ^{1/89/12} for a 2% cut, which would likely affect their final claims. We will notify districts as soon as we receive final notification.
- Additional Fiscal Monitoring
 - We will conduct additional fiscal monitoring this spring, which will include:
 - Equipment monitoring, to coincide with self-assessment verification site visits when possible.
 - A web-based program to review the equitable services provision.
 - Monitoring excess cost.
- Single Audit Findings
 - DPI has received single audit findings for fiscal year 2010-11. We are in the process of reviewing the findings and sending out management letters.
 - There were numerous Time & Effort findings. If a LEA received a Time and Effort finding, the LEA will be tested further on salaries charged to the IDEA grants during 2011-12. If the LEA has not implemented corrective action during 2011-12, salaries charged to the grant are not allowable.

New Bulletin

- Bulletin 11.01—*Statewide Services Provided by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired* is posted. LEAs should refer to the bulletin for procedures related to requesting support from the Outreach Teams, consideration of the state schools for placement, and procedures for a student who attends one of the state schools.

ESEA Flexibility Waiver

- The department will submit a request for a waiver of some of the ESEA requirements by February 21st. Some proposed highlights:
 - Continue to disaggregate reporting by subgroups.
 - Reduce cell size from 40 to 20, pulling in approximately 89% of all schools.
 - Testing window moves to spring and high school test moves to grade 11.
 - Accountability applies to all schools, including public, charter and private voucher schools.
 - Rate schools and LEAs on a 100-point scale for student attainment, student growth, closing gaps and on-track to graduation and post-secondary readiness, with flags for issues with test participation, drop-out rate and third-grade reading.
 - Schools will be categorized into six levels from significantly exceeding expectations to persistently failing to meet expectations.
 - Cut scores will shift to a NAEP-based level.
 - Graduation requirements will increase to 15 credits, 1 each added in math and science.

NASDSE Professional Development Series

- This is to remind you of four learning opportunities which are free to you and available for viewing at any time:
 - *We're Better Working Together: Recommendations for Improved Coordination Between Title I and the IDEA*
 - Title I of the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) represent the largest U.S. Department of Education investments supporting K-12 education in our country. It is estimated that, of the more than 14 million students served by Title I and the 7 million served by the IDEA, approximately 3 million are served by both programs. In this conference, Richard Long, National Title I Association Executive Director and Bill East, NASDSE Executive Director, discuss the issues that impede better coordination between the two laws and recommend actions that could occur at the national, state and local levels to work together better.
 - *Section 504 Issues for Students with Disabilities: Case Law and Implications for Practice*
 - Dr. Perry Zirkel from Lehigh University addresses current Section 504 case law where special education students were involved and talks about the implications for practice.
 - *Providing Education Assessments Appropriate for Every Student: Is It Possible?*
 - Four assessment consortia have been established. The general education consortia are the *Partnership for Assessment of Readiness for College and Careers* and the *Smarter Balanced Assessment Consortium*. The two consortia addressing alternate assessment are the *Dynamic Learning Maps Alternate Assessment System* and the *National Center and State Collaborative*. Representatives from the consortia will talk about the development of the assessments, progress and what to expect.
 - *It's 2012: Do You Know Where Your RTI Is?*
 - The implementation of Rtl has changed in response to the analysis of implementation data, the changing landscape of public education, its implementation at the pre-K and secondary levels and the integration of both

academics and behavior into single delivery systems. In this conference, George Batsche and W David Tilly will discuss the current status of RtI in states and schools, lessons learned, exemplary programs and practices, what the data are telling us and what to expect.

- Open to <http://pd.nasdse.org/>, click on the conference you wish to view and enter the access code 1011wisconsin5.

Annual Performance Report (APR)

- DPI submitted the APR to the Office of Special Education Programs (OSEP) on February 1, 2012.
- The State Performance Plan (SPP) and APR are posted at: <http://dpi.wi.gov/sped/index.html>.
- By June 1, 2012, LEA performance will be posted on Special Education District Profile at <https://www2.dpi.state.wi.us/DistrictProfile/Pages/MainMenu.aspx>.
- The state met all the compliance indicators (Indicators 4B, 9, 10, 11, 12, 15, 16, 17, 20), with the exception of Indicator 13 (Postsecondary Transition Goals).
- Indicator 12 (Early Childhood Transition)
 - 99.03% compliance for this indicator in 2010-11.
 - 3,684 referrals from Birth to Three.
 - Nineteen districts missed timeline.
 - Validations have revealed some mismatches in paper IEPs and data entered in the Program Participation System (PPS).
- Indicator 13 (Postsecondary Transition Goals)
 - With ongoing LEA input, DPI is continuing to develop the online transition IEP page (Postsecondary Transition Plan).
 - The online transition IEP will be tested by selected districts this spring.
 - All districts not involved in the online pilot must complete and submit the Indicator 13 Assessment Assurance no later than February 15, 2012.
- Validations are nearly completed. Verifications will begin after February 15th. The two-step verification process will continue to apply.
- The online IEP will be demonstrated at the transition conference.

OSEP's Proposed Changes to the Indicators

- Eliminate under-representation reporting in Indicators 9 and 10.
- Combine Indicators 9 and 10 and renumber as 9A and 9B.
- Delete Indicators 16 and 17 from the APR as these data are also submitted under IDEA section 618 reports.
- DPI commented in support of these proposed changes with the exception of renumbering the indicators.

Procedural Compliance Self-Assessment

- The second cycle of the procedural compliance self assessment started this school year. LEAs have reported the process went smoothly and that it continues to be an effective way of determining noncompliance, reviewing practices and training staff.
- LEAs were notified of any noncompliance in December.
- DPI is validating 20% of the districts in the current cycle.

- By February 15th, LEAs must submit assurance that correction of student-level noncompliance is completed.
- Verification of correction will begin in February.
- We have created four procedural compliance self-assessment visuals to give districts additional clarity about the SA process.
 - Overall process: <http://www.dpi.wi.gov/sped/pdf/sa-process-visual.pdf>
 - Process with more details and a timeline: <http://www.dpi.wi.gov/sped/pdf/sa-timeline-visual.pdf>
 - Validation process: <http://www.dpi.wi.gov/sped/pdf/sa-validation-visual.pdf>
 - Verification process in two steps: <http://www.dpi.wi.gov/sped/pdf/sa-verification-visual.pdf>

Data Monitoring

- Indicator 3c (WSAS Proficiency for Math and Reading)
 - Wisconsin continues to improve in reading and math proficiency. For reading, progress was demonstrated in four grades—4th, 5th, 6th and 8th, with two grades—3rd and 7th—unchanged.
 - For math, progress was demonstrated in three grades—6th, 8th, and 10th, with 5th grade unchanged.
- Indicator 4b (Suspension and Expulsion Rates)
 - At the direction of OSEP, the department revised the criterion by which it identifies districts for significant discrepancy by race or ethnicity in the rate of suspensions and expulsions of greater than 10 days. The new criterion is statewide risk for all students with disabilities, plus two standard deviations of the annual statewide risk for students with disabilities. Our focus will be on approximately 5% of LEAs.
- Indicator 8 (Parent Involvement)
 - We are so pleased to announce a 7.28% increase in the parent involvement indicator, and we will continue to focus on question 25: “The school explains what options parents have if they disagree with a decision of the school.”
- Other Indicators
 - The State Superintendent’s Special Education Advisory Council did not set or revise targets for any indicators at the January 2012 meeting. The Council focused on data analysis activities that will inform the new “results” work for the fall 2012 OSEP verification visit.

OSEP Monitoring

- Wisconsin is scheduled for a verification visit in 2012.
- OSEP piloted their “results” work with states last fall and will incorporate new procedures during the week they are here.
- The first part of the week will be to verify our work to address their priorities of general supervision, data, and fiscal monitoring. During the latter part of the week, they will focus on our results work.

Rtl Center and PBIS Network

- Regional Technical Assistance Coordinators are available to connect schools to resources and assess their readiness and implementation status for both academic and behavioral Rtl/Multi-Level Systems of Support (MLSS).
- Please continue to check regularly both www.wisconsinrticenter.org and www.wisconsinpbisnetwork.org as resources and new professional development offerings are added frequently.
- Many professional development offerings are available. In addition to the entire PBIS professional development series, the Rtl Center is offering a *Foundational Overview*, *Rtl Mapping*, *Data Analysis: Screening and Progress Monitoring*, and *Professional Learning Communities*.
- Some noteworthy new online resources include:
 - The *Rtl and Family Engagement* interactive online module helps families to understand the process of Rtl, and provides strategies for meaningfully including families in the process.
 - The *School-wide Implementation Review (SIR)* helps school teams assess their implementation, and develop action plans based on the resultant data.
 - *Wisconsin Rtl Stories* provides videos of three Wisconsin schools' implementation journeys, as well as accompanying activities.
 - A searchable database of Wisconsin schools implementing PBIS with fidelity.
 - A searchable data base of available resources.
 - Featured success stories.

Specific Learning Disabilities (SLD)

- Initial guidance materials were added to the SLD webpage in September. These materials include updated SLD criteria worksheets and instructions for completing the ER-2 form, *Additional data when considering SLD*.
- Since then additional materials have been added including the PowerPoint slides with speaker notes from fall workshops and ITV sessions, an updated FAQ document, and an Information Sheet on applying the Inadequate Classroom Achievement criterion.
- We have convened a SLD external workgroup representing special education administrators (Tim Gantz represents WCASS), school psychologists, SLD program support teachers, SLD teachers, non-school based experts, and university faculty. The workgroup met to discuss continued technical assistance needs and the SLD Guide. The group continues to work with DPI staff and external consultants on a comprehensive SLD guide.
- Next Steps
 - DPI is aware of the high demand for additional training opportunities and need for additional technical assistance resources. Additional training opportunities will be scheduled starting this spring.
 - Implementation guidance, in the form of additional one-page information briefs on important SLD evaluation components are being completed. We expect to post the next information brief on *Using Observation Data in SLD Evaluations* soon. The FAQ will also be updated.
 - Insufficient Progress Criterion
 - We are working with various experts from within and outside DPI, and in collaboration with the Rtl Center, to develop more specific guidance and tools for

implementing the new criterion for using Progress Monitoring data to determine Insufficient Progress.

- The guidance and tools will be made available well in advance of the December 1, 2013, sunset on the use of significant discrepancy.
- Comprehensive SLD Guide
 - We received very helpful input from the field during our Initial Guidance workshops this fall regarding questions staff continue to have about implementing the revised SLD criteria. This input along with guidance from the SLD External workgroup is being used to complete a comprehensive SLD evaluation guide, which we plan to have available in the fall.

Literacy

- The department recently released the Read Wisconsin reading resource portal (see <http://www.readwisconsin.net/>). Representatives from the Special Education Team participated in developing the content of the portal. The interactive portal is intended for use by parents and families, educators, and early childhood professionals to assist in ensuring high quality reading practices are used in Wisconsin schools. Resources appropriate for students with disabilities are included.

CREATE Conference

- April 24-25, 2012 – Beyond Diversity II training (pre-requisite: BD I)
- April 26, 2012 – Conference sessions
- Radisson Hotel & Conference Center, Green Bay
- Visit www.CREATEWISCONSIN.net for conference information and to sign up for the monthly e-newsletter.

State Personnel Development Grant (SPDG)

- The Wisconsin SPDG entered its 5th year of funding on October 1, 2011. We will apply in spring 2012 for the next cycle.
- The purpose of the grant is to provide professional development to improve outcomes for children with disabilities.
- A few examples of materials/services:
 - The Parent Leadership Hub published a guidebook for parents entitled “Serving on Groups that Make Decisions” in January 2011, and have scheduled nine one-hour introduction trainings. In-depth workshops will be scheduled starting in July. In addition, this guidebook will be featured at the transition conference, the Autism Society of WI conference, the Circles of Life conference, and at the Council for Exceptional Children national convention.
 - The IHE Hub will conduct the third annual Summer Institute on May 23-24. The purpose of the Institute is to provide professional development to higher education faculty on current issues in the schools to improve pre-service training.
 - The Early Childhood Hub will conduct trainings on their Screening and Early Identification process. They also are involved in efforts to develop early childhood resources for RtI/MLSS.