

Wisconsin Department of Public Instruction
2011 Determinations Criteria Defined
(Data considered is from 2009-10 unless otherwise noted.)

Substantially Meets Requirements

The LEA meets the following criteria:

1. Indicator 9
The LEA does not demonstrate disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification; and
2. Indicator 10
The LEA does not demonstrate disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification; and
3. Indicator 11
At least 95% of children with parental consent to evaluate were evaluated and eligibility determined within 60 days; or at least 75% of children with parental consent to evaluate were evaluated and eligibility determined within 60 days and the LEA timely corrected previously identified findings of noncompliance; and
4. Indicator 12
At least 95% of children referred by Part C prior to age 3 who are found eligible for Part B had IEPs developed and implemented by their third birthdays; or at least 75% of children referred by Part C prior to age 3 who are found eligible for Part B had IEPs developed and implemented by their third birthdays and the LEA timely corrected previously identified findings of noncompliance; and
5. Indicator 13
Baseline year; not included in determinations criteria. Will be considered in the 2012 determinations.
6. Indicator 15
The LEA demonstrated substantial compliance (at least 95%) and the LEA timely corrected previously identified findings of noncompliance; and
7. Indicator 20
The LEA provided valid and reliable FY 2009-10 data that reflected the measurement for Indicators 9, 10, 11, 12, and 15; or
8. The LEA did not meet the standards for substantial compliance (at least 95%) for only one compliance indicator and there were no other factors, (including information from monitoring visits, unresolved audit findings, or unresolved special conditions that were imposed as a result of the LEA being designated as a "high risk" grantee) and the compliance level for that indicator was 90% or better.

Needs Assistance

The LEA meets one or more of the following criteria:

1. Indicator 9
The LEA demonstrates disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
 2. Indicator 10
The LEA demonstrates disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
 3. Indicator 11
Less than 75% of children with parental consent to evaluate were evaluated and eligibility determined within 60 days.
 4. Indicator 12
Less than 75% of children referred by Part C prior to age 3 who are found eligible for Part B had IEPs developed and implemented by their third birthdays.
 5. Indicator 13
Baseline year; not included in determinations criteria. Will be considered during the 2012 determinations.
 6. Indicator 15
The LEA demonstrated less than 95% compliance and did not timely correct previously identified findings of noncompliance.
 7. Indicator 20
The LEA did not provide data for Indicators 9, 10, 11, 12, and 15, or the data for the indicators was not valid and reliable.
 8. The LEA has unresolved audit findings.
-

Needs Intervention

The LEA meets one of the following criteria:

1. Indicator 9
For three consecutive years, the LEA demonstrates disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification; or
2. Indicator 10
For three consecutive years, the LEA demonstrates disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification; or
3. Indicator 11
Less than 50% of children with parental consent to evaluate were evaluated and eligibility determined within 60 days; or
4. Indicator 12
Less than 50% of children referred by Part C prior to age 3 who are found eligible for Part B have IEPs developed and implemented by their third birthdays, and such performance did not represent continuous progress over the prior years' compliance data regardless of whether it demonstrated correction of previously identified findings of noncompliance; or
5. Indicator 13
Baseline year; not included in determinations criteria. Will be considered during the 2012 determinations.
6. Indicator 15
The LEA demonstrated very low performance (50% or below) and the LEA did not timely correct previously identified findings of noncompliance; or
7. For three consecutive years, the LEA did not provide data for Indicators 9, 10, 11, 12, and 15, or the data for the indicators was not valid and reliable.
8. For three consecutive years, the LEA has unresolved audit findings.

Needs Substantial Intervention

If the Department determines, at any time, that an LEA needs substantial intervention in implementing the requirements of this part or that there is a substantial failure to comply with any condition of a local educational agency's eligibility under this part, the Department will designate the LEA as in need of substantial intervention.

Among the factors that the Department will consider are:

- ✓ The failure to substantially comply significantly affects the core requirements of the program, such as the delivery of services to children with disabilities; and/or
- ✓ The LEA has informed the Department that it is unwilling to comply.

In making this determination, the Department will consider the impact of any longstanding unresolved issues on the LEA's current implementation of the program.

In making its determinations, the Department considers other IDEA compliance issues that were identified through monitoring, audit, or other activities, and the LEA's progress in resolving those problems.
