



**Continuous Improvement
Focused Monitoring Report
for**

Fremont County School District #24

February 8-11, 2010

**Special Programs Unit
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**Wyoming Department of Education
Dr. Jim McBride, Superintendent of Public Instruction**

Wyoming Department of Education Continuous Improvement – Focused Monitoring Report

Fremont County School District #24
School Year: 2009 – 2010
Date of On-Site Review: February 8 – 11, 2010

Introduction

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), Part B, Section 300.600(a) of the Federal Regulations states: *The state must monitor the implementation of this part, enforce this part in accordance with §300.604 (a)(1) and (a)(3), (b)(2)(i) and (b)(2)(v), and (c)(2), and annually report on performance under this part. (b) The primary focus of the State’s monitoring activities must be on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.*

Process

A. Performance Indicator Selection

Consistent with the requirements established in Federal Regulations §§300.600 through 300.604, the Wyoming Department of Education (WDE) focuses on those elements of information and data that most directly relate to or influence student performance, educational results and functional outcomes for children with disabilities.

The General Supervision Stakeholder Group¹ worked with the WDE Special Programs Unit in the fall of 2009 to set the priority indicators and scoring system to be used in determining which districts would be selected for on-site monitoring. IDEA 2004 places a strong emphasis on positive educational results and functional outcomes for students with disabilities ages three through 21. This factor greatly influenced the selection of three key indicators of student performance from the State’s Performance Plan as priorities for the Continuous Improvement – Focused Monitoring (CIFM) process. The ultimate goal of the CIFM process is to promote systems change which will positively influence educational results and functional outcomes for students with disabilities.

Districts were selected for on-site monitoring through the application of a formula applied to all 48 districts’ data using four variables. These variables are taken directly from Indicators 2, 3C, and 5 of the State Performance Plan (SPP), which can be viewed in its entirety at www.k12.wy.us. With Stakeholder Group input, the WDE slightly narrowed its focus in each of the indicator areas to include the following pieces of data in its selection formula:

¹ The Focused Monitoring Stakeholder Group is comprised of principals, special education directors, teachers, parents, advocates and superintendents from across the state.

- Indicator 2: combined dropout rate for students with disabilities over the past three years of available data (05-06, 06-07, and 07-08)
- Indicator 3C: 2009 PAWS proficiency rates for students with disabilities in 3rd grade reading and 8th grade mathematics
- Indicator 5: 2008 – 2009 combined rate of separate classroom (SC) and separate facility (SF) placements

For each district, the WDE Special Programs Unit calculated a total score using this formula. The Department then selected districts for on-site CIFM visits using the process described below in subsection B.

B. Individual District Selection

Districts were divided into four population groups based on overall enrollment numbers:

- Large Districts – more than 1,950 students
- Medium Districts – 860 to 1,949 students
- Small Districts – 500 to 859 students
- Extra-Small Districts – 499 or fewer students

Fremont County School District #24 (FCSD #24) is considered an extra-small school district and reported a special education population of 51 students on its 2009 WDE-427 report. Thus, the district's 2008 – 2009 data was ranked against data from all other extra-small districts for the same time period. The two lowest performers in each population group were selected for an on-site monitoring visit using the comparison to state rates found below. Districts who received on-site monitoring visits during the 2008 – 2009 school year were excluded from consideration for monitoring this year in order to give them adequate time to implement their Corrective Action Plans:

SPP Indicators	FCSD #24 Rate	Overall State Rate excluding FCSD #24
Ind. 2: Combined Dropout Rate	0%	9.23%
Ind. 3C: 3 rd Gr. Reading Proficiency	0%	29.31%
Ind. 3C: 8 th Gr. Math Proficiency	0%	26.51%
Ind. 5: Combined SC and SF rates	5.41%	10.64%

In terms of the variables that are included in the weighted formula, FCSD #24's data compared quite favorably to similarly-sized districts and to the state on the Indicator 2 and Indicator 5 variables. In fact, Fremont #24 boasted one of the lowest percentages of students in Separate Classroom and Separate Facility placements of all Wyoming school districts, and it was one of only a few districts in the state to report zero dropouts over the past three school years. However, the Indicator 3 variables negatively impacted the district's total score. In the end, when these proficiency rates were combined with the 3-year dropout rate and placement data, and then compared to other districts in the same population group, FCSD #24's score was one of the two lowest of eligible districts, and it was selected for an on-site monitoring visit.

It should be noted that the district's performance on these key indicators is not direct evidence of noncompliance. After a district has been selected for on-site monitoring, the

WDE then analyzes district data to determine potential areas of noncompliance that may account for the district's performance. For example, if a school had low PAWS proficiency rates in mathematics and low rates of regular class placement, the question of whether or not children had access to the general curriculum might be reviewed. A finding of noncompliance can only be made through the WDE's CIFM system if analyses of multiple pieces of objective information arrive at the same conclusion.

Focused Monitoring Conditions for Fremont County School District #24

In preparation for the on-site monitoring visit, WDE reviewed the district's most recent and trend data from a variety of sources including the WDE-425 (December 1) and WDE-427 (July 1) data collections, assessment data (PAWS and PAWS-ALT), stable and risk-based self-assessment data, and discipline data from the WDE-630 and 631. The data led the WDE to create hypotheses in four areas: 1) FAPE – Educational Benefit, 2) FAPE – Extended School Year; 3) FAPE – Assistive Technology; and 4) Child Find.

1. **FAPE – Educational Benefit** This hypothesis was formulated due to the district's comparatively low PAWS proficiency rates for students with disabilities.
2. **FAPE – Extended School Year** This hypothesis was based on the district's relatively low percentage of students receiving Extended School Year services.
3. **FAPE – Assistive Technology** The WDE crafted this hypothesis in response to district data showing a comparatively low number of students using/receiving Assistive Technology devices/services.
4. **Child Find** This hypothesis was formulated in response to district data reporting a comparatively low overall percentage of students identified as having a disability.

Details regarding the development of each hypothesis, and information on how the WDE determined its samples for each, are found below in the introduction to each finding area.

In addition to the four hypotheses chosen for on-site focused monitoring, the WDE also monitored other areas for IDEA compliance through a procedural compliance review of each file reviewed during testing of the aforementioned hypotheses. Results of the review are included with this report in Appendix A. Appendix B contains the results of a parent survey that was conducted in the district during a four-week window that included the dates of the on-site monitoring visit.

Results of On-Site Monitoring for Fremont County School District #24

These areas were monitored on-site through a focused file review, staff interviews, and classroom observations, as deemed necessary. Each area is defined by statute, summarized by evidence gathered on-site, and a finding of noncompliance listed as applicable.

Area 1: FAPE – Educational Benefit

A. Citation

§300.101 Free appropriate public education (FAPE).

(a) General. A free appropriate public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in §300.530(d).

(c) Children advancing from grade to grade.

(1) Each State must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

(2) The determination that a child described in paragraph (a) of this section is eligible under this part, must be made on an individual basis by the group responsible within the child's LEA for making eligibility determinations.

§300.324 Development, review, and revision of IEP.

(b) Review and revision of IEPs—(1) General. Each public agency must ensure that, subject to paragraphs (b)(2) and (b)(3) of this section, the IEP Team—

(i) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and

(ii) Revises the IEP, as appropriate, to address—

(A) Any lack of expected progress toward the annual goals described in §300.320(a)(2), and in the general education curriculum, if appropriate;

(B) The results of any reevaluation conducted under §300.303;

(C) Information about the child provided to, or by, the parents, as described under §300.305(a)(2);

(D) The child's anticipated needs; or

(E) Other matters.

B. Evidence

1. Data

As described above in the introduction of this report, the WDE noted that 2009 PAWS proficiency rates among students with disabilities in Fremont #24 were below the overall state targets for both 3rd grade reading and 8th grade mathematics. Probing deeper into the data, the WDE discovered that fifteen of the district's students with disabilities at any grade level scored below 'Proficient' on two or more PAWS subtests (reading, writing, and math).

In addition, the WDE noted that 43% of the district's population of general education test takers (non-IEP students) also scored 'Basic' or 'Below Basic' on two or more of the 2009 PAWS subtests. For that reason, the State also added 33 students with disabilities who did not take the PAWS test in 2009 to its sample for this hypothesis. The WDE hypothesized that some of these students may have IEPs that are not reasonably calculated to result in educational benefit.

2. File Review

Using these 48 students as its purposeful sample, the WDE reviewed students' special education files as the first step in its exploration of this hypothesis. Through the file review process, thirty students were removed from the sample for the following reasons:

- Nineteen students recently moved or transferred out of district.
- Ten students' IEPs appeared to be reasonably calculated to result in educational benefit, and each was making adequate/expected progress.
- One student had recently exited special education after being found to no longer need special education services.

This reduction left eighteen students remaining in the sample. Each of the remaining files exhibited one or more of the following characteristics, prompting the WDE to further examine these student situations:

- 6 of the 18 files exhibited a “disconnect” between needs identified in assessment reports and the needs listed in the IEP. In other words, not all of the student needs identified through the evaluation process were included in these students' IEPs.
- 10 out of 18 files listed needs in the IEP which were not addressed by goals.
- 10 of the 18 files contained one or more goals that were not measurable.
- In 5 of the 18 files, the students' levels of progress were unclear due to inconsistent or non-existent progress reporting (8 additional IEPs were implemented recently and had not yet reached a progress reporting period at the time of the WDE's visit).
- 2 of the files indicated a clear lack of progress and a failure to reconvene the IEP.
- 11 of the 18 IEPs had one or more goals that had not changed meaningfully from the previous IEP.
- 5 out of 18 files contained a program of special education and related services that did not appear to address the student's needs and goals adequately.
- 8 of the 18 files indicated that the students were receiving a 'D' or 'F' in at least one core academic class (mathematics, language arts, science, or social studies).
- 4 of the 18 IEPs had notes or comments from IEP team members reflecting an educational concern that did not appear to be addressed in the IEP.
- 2 of the 18 student records show frequent or long absences.
- 4 of 18 student records contained frequent discipline incident reports or behavioral issues.

3. Interviews

Following the file review, the WDE monitoring team interviewed district special education staff, general education teachers and related service providers regarding these eighteen specific students. Through the interview process, five additional students were removed from the sample for the following reasons:

- For four students who appeared to be lacking goals in one or more areas of need, district staff members were able to explain how certain IEP goals did in fact address these students' needs. Furthermore, each of these students was shown to be making adequate/expected progress.
- Regarding one student, district personnel were able to provide details demonstrating that the student was now making progress and receiving educational benefit.

These reductions left thirteen students remaining in the subsample. The following comments made by district staff lend further support for a finding in this area:

- When asked about how the reading, math, and written expression is being addressed during resource time (as stated on the IEP), a district staff member said, “We work on organizational skills during that time and finish up on what needs to get done.”
- For a student with an identified learning disability in the area of written expression, WDE monitors were informed that the student was not receiving direct instruction in written expression. A district staff member described the student’s writing as “atrocious,” and added that the student “would benefit from help in that and a graphic organizer, and I am not sure if [he/she] gets that.”
- When asked about providing “Direct Instruction” in the academic areas as stated on the IEP, the staff member stated, “No, no, that is not what is happening during that time. It is organizational skills and getting homework done.”
- For a student whose progress notes indicated a lack of progress in one particular goal area, a district staff member confirmed the student’s lack of progress and indicated the IEP team had not reconvened or amended the student’s program.
- When asked if the IEP team had reconvened to discuss a student’s progress, the staff member responded, “We get together with the teachers, special education, and two principals and talk about the kids.”
- For a student with an identified learning disability in mathematics, a district staff member stated, “[He/She] is not doing well in math and is not getting any services in this area.” The staff member was not sure why the student was not receiving these services and added, “That’s a concern for me too.”
- When discussing a certain student’s potential need for specialized instruction in math, a staff member commented, “[He/She] is resistant to extra help, will not go to Special Education room. Special ed should be monitoring, organizing math.” The student’s current IEP does not address mathematics.
- For a student with written expression, reading fluency and processing speed needs and no specific services, “consult only”, a teacher commented, “[He/She] will slack with work if someone doesn’t keep him in line...[he/she] doesn’t do homework...(student’s) creative in spelling, sometimes I can’t read it.”
- While discussing a student’s poor grades and progress and who has identified needs in reading and written expression a staff member remarked, “I am not doing anything, but I think [he/she] is getting help.”
- While discussing a student’s needs and whether the student was receiving adequate services to achieve academic success, the educator stated, “No we have to get a handle on this. There needs to be more.”

C. Finding

The WDE finds that special education services in FCSD #24 are not always provided in accordance with the FAPE requirements established in 34 C.F.R. §§300.101 and 300.324. The district will be required to address this finding and correct the noncompliance through the development and implementation of a Corrective Action Plan (CAP).

Area 2: FAPE – Extended School Year

A. Citation

§300.106(a) Extended School Year Services

(a) General.

(1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) of this section.

(2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with §§300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.

(3) In implementing the requirements of this section, a public agency may not—

(i) Limit extended school year services to particular categories of disability; or

(ii) Unilaterally limit the type, amount, or duration of those services.

(b) Definition. As used in this section, the term extended school year services means special education and related services that—

(1) Are provided to a child with a disability—

(i) Beyond the normal school year of the public agency;

(ii) In accordance with the child's IEP;

(iii) At no cost to the parents of the child; and

(2) Meet the standards of the SEA.

B. Evidence

1. Data

According to the July 2009 WDE-427 data collections, 7.8% of the students with disabilities in FCSD #24 received Extended School Year (ESY) services. This reported data is noteworthy, especially compared to the overall rate of students with disabilities receiving ESY statewide and in other similarly-sized districts, which stood at approximately 9.2% and 14.6% respectively during the same period.

2. File Review

The WDE created a purposeful sample of sixteen students in Fremont #24 who did not receive ESY during the 2008 – 2009 school year. The sample was composed of students who were eligible for special education under one of the following disability categories: Traumatic Brain Injury (BI), Cognitive Disability (CD), Emotional Disability (ED), or Other Health Impaired (HL).

Once on-site in Shoshoni, the WDE reviewed these sixteen students' special education files. At the conclusion of the WDE's file review, ten files were removed from the sample for the following reasons:

- Five student files contained IEPs that appeared reasonably calculated to result in educational benefit without the provision of ESY services.
- Three students had moved or transferred out of the district.
- One student's files indicated that he/she was actually receiving ESY services.
- One student dropped out of school.

For the remaining six students, one or more of the following characteristics kept them in the sample:

- 3 of the 6 files indicated a lack of adequate or expected progress toward at least one of the students' IEP goals. Of these 3 files, none contained evidence that the IEP teams reconvened to address the students' lack of progress.
- In 2 of the 6 files, the students' levels of progress were unclear due to inconsistent or non-existent progress reporting.
- 3 of the 6 IEPs had annual goals that have not changed meaningfully from the students' previous IEPs to the current IEPs.
- 5 of the 6 IEPs did not contain an annual goal for each area of identified need.

3. Interviews

After the file reviews were completed, WDE team members interviewed resource room teachers, support staff, general educators, and related service providers regarding these six students' potential need for ESY. Through the interview process, three additional students were removed from the sample when district staff presented compelling evidence that the students were making adequate progress and were not in need of ESY in order to receive FAPE.

However, while discussing three particular students, district staff shared a number of concerns about these students' possible need for ESY. District staff comments included some of the following:

- When asked about ESY, a special educator stated, "I never really thought of it until you mentioned it. It'd be very important to do over the summer."
- When asked if this is a student who needs ESY, the educator stated, "Absolutely. This is exactly the kind of kid who needs ESY."
- When asking a staff member if the student would benefit from services beyond the school year the staff member stated, "I think if he did, it would be in writing. It would help him a ton."
- When asked if an IEP team considered ESY for a student at the recent IEP meeting, a team member said "I don't know why we didn't discuss it."
- While discussing specific services that might be needed by a certain student, a district staff member stated, "[Student name] should have ESY; [he/she] would definitely benefit!" The staff member went on to describe the student's loss of skills during extended breaks from school.
- For a student with needs in the area of written expression, a district staff member reported that the student would benefit from summer services that would "bridge" summer school and ESY—particularly just before the start of the new school year.

C. Finding

The WDE finds that special education services in FCSD #24 are not always provided in accordance with the FAPE requirements established in §300.106. The district will be required to address this finding and correct the noncompliance through the development and implementation of a Corrective Action Plan (CAP).

Area 3: FAPE – Assistive Technology

A. Citation

§300.5 Assistive technology device

Assistive Technology Device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such a device.

§300.6 Assistive Technology Service

Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes—

- (a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
- (b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- (c) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- (d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (e) Training or technical assistance for a child with a disability or, if appropriate, that child's family ; and
- (f) Training or technical assistance for professionals (including individuals providing education or rehabilitative services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.

§300.105 Assistive technology

(a) Each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in §§300.5 and 300.6 respectively, are made available to a child with a disability if required as a part of the child's—

- (1) Special education under §300.36
- (2) Related services under §300.34; or
- (3) Supplementary aids and services under §§300.38 and 300.114(a)(2)(ii)

(b) On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP Team determines that the child needs access to those services in order to receive FAPE.

B. Evidence

1. Data

According to the July 2009 WDE-427 report, only one student with a disability in FCSD #24 received Assistive Technology (AT) or used AT devices over the course of the 2008 – 2009 school year. This number is notable when compared to the overall percentage of students receiving AT in the state's 47 other districts, which stood at approximately 4.5% during the same period. The WDE hypothesized that there may be more students in

Fremont #24 who are in need of Assistive Technology devices and/or services in order to receive FAPE.

2. File Review

WDE staff created a purposeful sample of students more likely than others to need AT in order to receive FAPE. This sample was composed of sixteen students who were not receiving Assistive Technology according to the district's most recent WDE-427 data. All of these students were reportedly eligible for special education under one or more of the following disability criteria: Traumatic Brain Injury (BI), Cognitive Disability (CD), Hearing Impairment (HI), or Other Health Impaired (HL).

Once on-site in Shoshoni, the WDE reviewed these sixteen students' special education files. Through the file review process, twelve files were removed from the sample for the following reasons:

- Six student files did not indicate any need for Assistive Technology devices or services.
- Five students recently moved or transferred out of the district.
- One student was receiving an appropriate amount and/or type of AT services.

For the four remaining students, however, the following characteristics kept them in the sample for further exploration:

- 2 of the 4 evaluations contained comments indicating the students could benefit from use of AT.
- All 4 files lacked evidence of an AT assessment.
- 4 of the 4 student files indicated the student experienced a lack of progress or unclear progress. However, all 4 IEPs had been recently reconvened.
- 3 of the 4 files contained no evidence that AT was considered.
- 4 of the 4 files described areas of student need that might possibly be addressed through the provision of AT.

3. Interviews

At the conclusion of the file review, WDE staff interviewed Fremont #24 special education staff, general education staff, and related service providers regarding these four students' educational needs and their use of Assistive Technology. A single student was removed from the subsample when district staff provided compelling reasons why this particular student were not in need of AT devices or services.

However, for the three remaining students, the following interview details support the State's hypothesis that some FCSD #24 students who are not receiving AT may actually need these devices and/or services in order to receive FAPE:

- When asked about a certain student's possible need for a specific type of Assistive Technology device, a district staff member responded that such a device would be beneficial—"if we have that."
- When asked if AT had been discussed at the IEP meeting for a student, with written expression needs, a team member responded, "No, I don't think so; [he/she] doesn't like to type."

- In discussing a particular student’s situation and whether assistive technology might be necessary, a district staff member said, “Yes, if you have any ideas to share that would be great.”
- When asked if a team member thought there were any additional services or supports that would benefit a student with written expression needs, that person responded, “I think we are meeting [his/her] needs to the best of our ability for a school this size...a different setting with broader resources would benefit [him/her].”

C. Finding

The WDE finds that special education services in FCSD #24 are not always provided in accordance with the FAPE requirements established in 34 C.F.R. §300.105. The district will be required to address this finding and correct the noncompliance through the development and implementation of a Corrective Action Plan (CAP).

Area 4: Child Find

A. Citation

§ 300.111 Child find.

(a) General.

(1) *The State must have in effect policies and procedures to ensure that—*

(i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated; and

(ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

(c) *Other Children in Child Find. Child find also must include (1) Child who are suspected of being a child with a disability under §300.8 and in need of special education, even though they are advancing from grade to grade; and (2) Highly mobile children, including migrant children.*

(d) *Construction. Nothing in the Act requires that children be classified by their disability so long as each child who has a disability that is listed in §300.8 and who, by reason of that disability, needs special education and related services is regarded as a child with a disability under Part B of the Act.*

B. Evidence

1. Data

After analyzing and disaggregating the district’s July 2009 WDE-427 data collection, the WDE observed that the district’s overall identification rate for students with disabilities was approximately 11.9%, compared to a state rate of about 14.06%. The WDE hypothesized that the district might possibly have additional students for whom staff suspect a disability (yet have not sought an evaluation).

2. File Review

In probing this hypothesis, the WDE created a purposeful sample of 35 general education students who scored ‘Basic’ or ‘Below Basic’ on two or more PAWS subtests during both of the two most recent PAWS administrations (2009 and 2008). The WDE

began its exploration of this hypothesis by reviewing each student's cumulative file in order to determine whether or not any school staff member (or parent) might have had reason to suspect a disability. The WDE sought to determine how the students were progressing academically (through grade reports) and behaviorally (attendance & discipline records). WDE staff also explored whether or not any of these students had ever been suspected of having a disability, and if so, whether or not an evaluation had been pursued.

Through the file review process, twenty files were removed from the sample for the following reasons:

- Fourteen students appeared to be making adequate progress in the general curriculum without the provision of special education and related services.
- Three students had moved or transferred out of the district.
- Two students had received special education evaluations in recent years and were found not eligible.
- One student received special education services in the past but was later reevaluated and found to be no longer eligible.

The fourteen remaining files comprised the subsample for this hypothesis. Each student file exhibited one or more of the following characteristics:

- 12 of the 14 students in the subsample were currently receiving poor grades ('D', 'F', or 'Below Basic') in at least one core academic class (math, language arts, science, social studies/history).
- 11 of the 14 students had a record of past behavior/disciplinary incidents in their cumulative files.

3. Interviews

After the file reviews were completed, WDE monitoring team members interviewed district general education teachers and administrators regarding these fourteen students' educational needs and progress. In each interview, district staff members were asked if they believed the student in question might be a student with a disability.

When all of the interviews were completed, ten students in the subsample were removed for the following reasons:

- Eight students were making improved progress without the provision of special education and related services.
- Two students were currently in the Building Intervention Team (BIT) process or were referred for evaluations to determine eligibility for special education.

However, regarding four students, comments made by district staff members supported the State's hypothesis that the district has reason to suspect a disability in these students' cases:

- When asked if the BIT process would be beneficial in helping identifying and meeting one student's needs, a district staff member responded, "I would 100% say that's what [he/she] needs for emotional concerns."

- When asked if this student is one that should be referred for testing, an educator stated, “I have had that concern and I’ve talked to other teachers.” However, the student in question had not been referred for an evaluation.
- While discussing a particular student, a district staff member described the student’s dishonesty, sneakiness, and poor grades. The teacher added the student’s poor behavior and academic struggles could be indicative of other issues.
- For a student with many behavior concerns, a teacher commented, the student will be referred to the BIT “if things don’t change.”
- When asked about a student’s possible need for special education a teacher said, “I believe [he/she] has a cognitive delay *now* and needs special education.” The student was not in the BIT process at the time of the interview.
- For a student who has and continues to exhibit emotional/behavioral dysfunctions, and child neglect concerns, but did not originally qualify for services, a staff member responded to a question about referral to BIT with the following thoughts, “[Student name] would benefit from SpEd. I want to see [him/her] tested; [he/she] would probably qualify now.” Currently the student is being considered for grade retention and is not involved the referral process.

C. Finding

The WDE finds that the Child Find requirements embodied in 34 C.F.R. §300.111 are not always met in Fremont #24. The State’s compliance hypothesis related to Child Find was substantiated through on-site file reviews and interviews with district staff. The district is hereby required to address this area in its Corrective Action Plan (CAP).

OTHER AREAS OF POTENTIAL NONCOMPLIANCE

A. General File Review

Each member of the WDE monitoring team also had the responsibility of conducting a procedural compliance check in each file reviewed during the on-site visit. In all, 28 files were reviewed for this purpose. In Appendix A of this report, these file review results may be found. For any file review item in which the district’s compliance is below 95%, the WDE requires that the district evidence correction of the noncompliance in a Corrective Action Plan and conduct additional self assessment to assure full compliance in these areas. More detailed guidance is provided on the CAP form.

B. Parent Survey Results

As part of the monitoring process, the WDE developed a Parent Survey in order to provide all parents an opportunity to give input on their children’s special education experiences in Fremont #24. The Department mailed a hard copy of the Parent Survey and a cover letter to each parent of a student currently receiving special education services in the district. Parents had the option of completing the survey on paper or completing it online. The WDE mailed a total of 42 surveys, and two parents returned completed surveys to the WDE (about 5%). In Appendix B of this report, the complete survey results are included for the district’s review.

File Review 0724000	Number of files reviewed	Percent of files compliant
C6. In the evaluation/ reevaluation, the file documents whether the child has or continues to have a disability, the present level of academic achievement and related developmental needs of the child, whether the child continues to need special education and related services and whether additions or modifications to the special education and related services are needed. (300.305(a)(2))	28	96.43%
C9. There is documentation that the public agency provided a copy of the evaluation report and documentation of the eligibility determination to the parent. (300.306(a)(2))	28	78.57%
E. The IEP Process		
E2. The file contains a current written IEP that was completed prior to the ending date of the previous IEP.(300.323(a))	28	96.43%
E13. The IEP includes documentation if the student is being removed from general education for any part of the school day, such removal occurs only if the nature or severity of the disability is such that education in regular classes with the use of modifications, supplementary aids and services cannot be achieved satisfactorily. (300.114(a)(2)(ii))	28	92.86%
E20. The IEP includes a statement of special education and related services and any supplementary aids and services to enable the child to advance toward attaining the annual goals involved in and make progress in the general education curriculum and be educated and participate with other children with and without disabilities.	28	92.86%
E24. If the child participates in the alternate assessment the IEP contains a statement of why the child cannot participate in the regular assessment. (300.320(a)(6)(ii)(A))	28	100.00%
E26. The IEP includes the child's present levels of academic and functional performance including how the child's disability affects his/her progress in the general curriculum (or for preschool children, participation in appropriate activities). (300.320(a)(1)(i)), (300.320(a)(1)(ii))	28	82.14%
E27. The IEP includes measurable annual academic, developmental and functional goals designed to meet the needs of the child and enable the child to progress in the general curriculum. (300.320(a)(2)(i)(A)), (300.324(a)(iv))	28	50.00%
E30. The IEP includes documentation when periodic reports regarding progress toward meeting annual goals will be provided. (300.320(a)(3)(ii))	28	96.43%
E33. The IEP documents that the public agency has informed each regular education teacher, special education teacher, related service provider and other service provider who is responsible for its implementation of his or her specific responsibilities including accommodations, modifications and supports. (300.323(d)(2))	28	96.43%
E45. If the parent did not attend the IEP meeting there is documentation of more than one attempt to arrange a mutually agreed upon time, place and format. (300.322(c)), (300.322(d)), (300.328), (300.501(b))	28	100.00%

E46. The file contains documentation that the public agency conducted a meeting to develop the initial IEP within 30 calendar days of a determination that a child with a disability was found eligible for special education and related services. (300.323(c)(1))	28	92.86%
E47. The file contains prior written notice regarding the implementation of the current IEP. (§300.503)	28	92.86%
E48. The IEP documents that all of the required participants attended the IEP meeting -- parent, special education teacher of the child, general education teacher of the child, representative of the public agency (§300.321(a))	28	92.86%
F. TRANSFERS		
F1. If a child with a disability transferred from a public agency within the same academic year, and had an IEP that was in effect in Wyoming, the file contains documentation that the public agency in consultation with the parents, provided FAPE to the child including services comparable to those described in the previously held IEP. (300.323(e)), (300.501(b))	28	100.00%
F2. If a child with a disability who transferred from a public agency within the same academic year, and had an IEP that was in effect in another State, the file contains documentation that the public agency in consultation with the parents, provided FAPE to the child including services comparable to those described in the previously held IEP; until such time as the public agency conducts and evaluation, if determined to be necessary and develops a new IEP if appropriate. (300.323(f)), (300.501(b))	28	96.43%

**Continuous Improvement Focused Monitoring
Parent Survey Results for:
Fremont County School District #24**

Total respondents: 2
Total parents who were mailed a survey: 42
Returned due to invalid address: 0
Response rate: 5%

	Very Strongly Disagree	Strongly Disagree	Disagree	Agree	Strongly Agree	Very Strongly Agree
1. At Individualized Education Program (IEP) meetings, we talk about whether my child needs special education services during the summer or other times when school is not in session.	50%	0%	0%	50%	0%	0%
2. My child is included with typically developing peers as much as is appropriate for his/her needs.	0%	0%	0%	50%	50%	0%
3. My child's educational needs are being adequately addressed by the school.	0%	0%	0%	50%	50%	0%
4. My child has made adequate progress over the course of the past year.	0%	0%	0%	50%	50%	0%
5. My child's special education program is preparing him/her for life after school.	0%	0%	0%	50%	50%	0%

6. Could your child's school be doing more to address his/her academic needs and improve your child's progress in school?	Yes	No	Don't Know
6a. If yes, what could the school be doing? <i>No additional comments received</i>	0%	0%	100%
7. Does your child receive Extended School Year (ESY) services?	Yes	No	Don't Know
7a. If no, do you think your child would make more progress if he/she received these services? 7b. If yes, do you think the amount/type of these services is appropriate for your child? <i>No additional comments received</i>	0%	50%	50%
8. Does your child use assistive technology (AT) devices at school? Note: assistive technology devices are items/equipment used to increase, maintain, or improve the functional capabilities of a child with a disability.	Yes	No	Don't Know
8a. If no, do you think he/she would make more progress if he/she used these devices at school? 8b. If yes, are the amount/type of assistive technology devices available at school adequate for your child? <i>No additional comments received</i>	0%	50%	50%

	Very Strongly Disagree	Strongly Disagree	Disagree	Agree	Strongly Agree	Very Strongly Agree
9. My child's school provides me with information about organizations that offer support for parents of students with disabilities.	0%	100%	0%	0%	0%	0%
10. Teachers at my child's school are available to speak with me.	0%	100%	0%	0%	0%	0%
11. Teachers and administrators encourage me to participate in the decision-making process.	0%	100%	0%	0%	0%	0%
12. My child's school gives parents the help they may need to play an active role in their child's education.	0%	100%	0%	0%	0%	0%
13. My child's school explains what options parents have if they disagree with a decision of the school.	0%	100%	0%	0%	0%	0%

14. Any other comments that you would like to share?
No additional comments received