



# Wyoming Department of Education

Cindy Hill, Superintendent of Public Instruction  
Hathaway Building, 2<sup>nd</sup> Floor, 2300 Capitol Avenue  
Cheyenne WY 82002-0050

Phone: 307-777-7675 Fax: 307-777-6234 Website: [edu.wyoming.gov](http://edu.wyoming.gov)

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## MEMORANDUM NO. 2012-076

**TO:** School District Superintendents  
Special Education Directors  
School Principals  
District PAWS Coordinators  
Title I Directors

**FROM:** Geir Solvang, Supervisor for College Readiness & Accountability  
Standards, Learning & Accountability Division

**DATE:** May 4, 2012

**SUBJECT:** Adequate Yearly Progress (AYP) – Exception Requests to Exceed the  
1% PAWS-ALT Cap

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### TIME SENSITIVE INFORMATION

Read this MEMORANDUM carefully in its entirety to ensure you understand the required actions your districts must take. If you have questions, please contact Geir Solvang at 307-777-6218 or [geir.solvang@wyo.gov](mailto:geir.solvang@wyo.gov).

This memorandum contains important information regarding how your district may apply for an exception to the 1% PAWS-ALT Cap used in determining AYP and also outlines critical timelines to be met. Requests for an exception to the 1% PAWS-ALT Cap for AYP determinations must be submitted to Geir Solvang by **May 25, 2012, by 5:00 pm**. The WDE659 form is now available for use by the districts on the WDE website Data Collection Suite Page:

<http://edu.wyoming.gov/DataInformationAndReporting/DataCollectionSuite.aspx>. A copy of the form is attached to assist districts in compiling the requested information.

Exception requests must be submitted to Geir Solvang at the Wyoming Department of Education (WDE). Please return the completed WDE659 form no later than May 25, 2012, by 5:00 pm. Requests must be signed by the District Superintendent and can be faxed to 307-777-6234 or emailed to Geir at [geir.solvang@wyo.gov](mailto:geir.solvang@wyo.gov) with the signed, original form mailed to:

School District Superintendents  
School Principals  
Special Education Directors  
District PAWS Coordinators  
Title I Directors  
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Geir Solvang  
Wyoming Department of Education  
Hathaway Building, 2nd Floor  
2300 Capitol Avenue  
Cheyenne, WY 82002

Districts will receive written notification from the WDE by June 4, 2012, as to whether the exception was granted.

**U.S. Department of Education Regulation Information:**

Under the December 9, 2003, regulation from the U.S. Department of Education, districts are allowed to count the proficient and advanced scores of students with the most significant cognitive disabilities who were administered the 2012 PAWS-ALT, provided that the number of proficient and advanced scores does not exceed 1.0 percent of all enrolled students in your district in grades 3-8 and 11. The enrollment will be based on the March 23, 2012, student roster. This data will be finalized with the WDE on May 7, 2012. The 1.0 percent cap is calculated for Mathematics and Language Arts separately.

The percentage of proficient or advanced scores on the PAWS-ALT is calculated as follows:

$$\text{Percentage of Prof. or Adv. on PAWS-ALT} = \frac{\text{Number Prof. or Adv. on PAWS-ALT}}{\text{Total Number of Students Enrolled in Grades 3-8 and 11}}$$

The US Department of Education regulation can be found at:  
<http://www.ed.gov/legislation/FedRegister/finrule/2003-4/120903a.html>.

The non-regulatory guidance related to the 1.0 percent cap provided by the U.S Department of Education can be found at:  
<http://ed.gov/admins/lead/account/saa.html#guidance>.

Please contact Geir Solvang at 307-777-6218 or [geir.solvang@wyo.gov](mailto:geir.solvang@wyo.gov) with any questions or concerns.

Attachment

**DISTRICT REQUEST FOR WAIVER OF ONE PERCENT CAP  
FOR CALCULATION OF DISTRICT AYP FOR THE 2011-12 SCHOOL YEAR**

Standards, Learning and Accountability  
Wyoming Dept. of Education  
2300 Capitol Ave, 2nd Floor  
Cheyenne, WY 82001  
Contact: Geir Solvang, (307) 777-6218  
[geir.solvang@wyo.gov](mailto:geir.solvang@wyo.gov)

WDE659  
Revised: April 2012  
Due: May 25, 2012  
Expires: August 1, 2012

District ID - Name: \_\_\_\_\_  
Contact Phone: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_

Contact Name: \_\_\_\_\_  
Contact Email: \_\_\_\_\_

**1. When complete, save a copy to your system, and mail the signed original with all documentation to: Geir Solvang, Wyoming Dept. of Education, 2300 Capitol Ave, 2nd Floor, Cheyenne WY 82001.**

**INSTRUCTIONS**

**Special Education Forms - Includes sample I-4**

**The LEA can document that it is fully and effectively addressing the requirements of 34 CFR § 200.6. All documentation MUST be provided at the time of submission in order for the exception request to be considered.** Specifically, the district must provide examples of documentation showing:

**REQUIRED DOCUMENTATION**

1

1	N	The district documents and implements clear and appropriate guidelines for IEP teams to apply in determining when a child's significant cognitive disability justifies assessment based on alternative academic achievement standards;
2	N	The district documents that parents of such students are informed that their child's achievement will be based on alternative academic achievement standards;
3	N	The district documents students are, to the extent possible, included in the general curriculum and in assessments aligned with that curriculum;
4	N	The district documents that it disseminates information and promotes the use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are tested against grade-level academic achievement standards;
5	N	The district documents that general and special education teachers and other appropriate staff are knowledgeable about the administration of general and alternate assessments, including making appropriate use of accommodations for students with the most significant cognitive disabilities.

**Indicate the cap exception requested for the 2011-12 school year:**

**ELIGIBILITY VERIFICATION**

2

6	<b>PERCENT</b>
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Explain why the incidence of students participating in the alternate assessment in the combined grades assessed exceeds 1.0 percent of all students in those combined grades. (Use the box below to explain. **Documentation MUST be provided to support your explanation listed below.**)

3

7	N	School, community, or health programs that draw large numbers of families of students with the most significant cognitive disabilities to live in the district (Provide this explanation below; <b>(Supporting documentation MUST be provided at time of submission in order for exception request to be considered.)</b> )
8	N	Such a small overall student population that it takes only a very few students with the most significant cognitive disabilities to exceed 1.0 percent <b>(No explanation or documentation required. This information can be compiled from previously submitted data collections.)</b>
9	N	Other (Provide this explanation below; <b>(Supporting documentation MUST be provided at time of submission in order for exception request to be considered.)</b> )

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WDE659  
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<b>Expanded Explanation</b> <i>(1000 characters or less. More may be attached to submission.)</i>	
<b>10</b>	<b>4</b>

<b>FOR WYOMING DEPARTMENT OF EDUCATION USE ONLY</b>	
Exception Granted: <input type="checkbox"/> YES	<input type="checkbox"/> NO    If yes, cap percentage exception approved 2010-11 _____

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WDE659  
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**1. For reportable content information, contact Geir Solvang, (307) 777-6218.**

[WDE659](#)

[Special Education Forms - Includes sample I-4](#)

Entry #	Field Title	Length	Valid Values	Definitions
1	The district documents and implements clear and appropriate guidelines for IEP teams to apply in determining when a child's significant cognitive disability justifies assessment based on alternative academic achievement standards;	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered. Examples of documentation could include but are not limited to: 1. Minutes or record keeping during the IEP meeting that the Requirements for Participation in Wyoming's alternate Assessment: Updated for the 2011-12 School Year were utilized by the IEP Team to determine student participation in alternate assessment within the Wyoming Assessment System. 2. District-written guidelines/protocol for conducting IEP meetings includes the utilization of the Requirements for Participation in Wyoming's alternate Assessment: Updated for the 2011-12 School Year to determine student participation in alternate assessment within the Wyoming Assessment System. 3. The criteria to determine participation in the PAWS-ALT (p.5, Requirements for Participation in Wyoming's alternate Assessment: Updated for the 2011-12 School Year) were utilized and all criteria were met, and that criteria that do NOT determine participation were utilized and no criteria were met.
2	The district documents that parents of such students are informed that their child's achievement will be based on alternative academic achievement standards;	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered. Examples of documentation could include but are not limited to: 1. Minutes or record keeping during the IEP meeting that the Requirements for Participation in Wyoming's alternate Assessment: Updated for the 2011-12 School Year were provided to and discussed with parents or guardians by the IEP team to determine student participation in alternate assessment within the Wyoming Assessment System. 2. Minutes or record keeping of the IEP meeting that the Requirements for Participation in Wyoming's alternate Assessment: Updated for the 2011-12 School Year were provided to and discussed with parent or guardians to inform them of consequences of participation in alternate assessment by the IEP team.
3	The district documents students are, to the extent possible, included in the general curriculum and in assessments aligned with that curriculum;	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered. <b>Examples of documentation:</b> 1. The LEAST RESTRICTIVE ENVIRONMENT (LRE) is documented on the IEP consistent with 34 C.F.R. §§ 300.114 through 300.117, that a student with a disability shall be removed from the regular education environment only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and that factors to determine the LRE have been indicated as YES or NO on the IEP; and that PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS to determine how the student will participate in State and district wide assessments consistent with 34 C.F.R. §300.320(a)(6) is documented on the IEP.

Entry #	Field Title	Length	Valid Values	Definitions
4	The district documents that it disseminates information and promotes the use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are tested against grade-level academic achievement standards;	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered. <b>Examples of documentation could include but are not limited to:</b> 1. Documentation in the form of minutes, protocol, or record keeping during the IEP meeting that the standard accommodations for the Wyoming Assessment System, which are updated and provided by the WDE each year, are utilized during the IEP team meeting.
5	The district documents that general and special education teachers and other appropriate staff are knowledgeable about the administration of general and alternate assessments, including making appropriate use of accommodations for students with the most significant cognitive disabilities.	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered. <b>Examples of documentation could include but are not limited to:</b> 1. Provision of the 2012 Test Administrator Training Verification Form verifying that general and special education teachers have attended the required 2012 Online Standard Accommodations Training. 2. Documentation in the form of minutes, protocol, or record keeping during the IEP meeting that the standard accommodations of the Wyoming Assessment System, which are updated and provided by the WDE each year via Superintendent's Memo, are utilized during the IEP team meeting. 3. Documentation within the Individualized Education Program (IEP) 34 C.F.R. §300.320-§300.324 indicates that in the section labeled PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS, indicating that the IEP team documented the determination of how the student will participate in the State and district wide assessments consistent with 34 C.F.R. § 300.320(a)(6) and the provision of the Accommodations Checklist, which indicates the IEP team's selection of test accommodations for the student is made in accordance with the identified standard accommodations for each assessed content in the state assessment.
6	Indicate the percent cap exception requested for the reported school year	3	Number with up to 2 decimals	The districts request this percentage be used as the cap for the total enrolled students in grades 3 through 8 and 11 whose proficient and advanced scores on the PAWS Alt shall be included in AYP.
7	<b>Exceeds 1% reason 1.</b> School, community, or health programs that draw large numbers of students with the most significant cognitive disabilities to live in the district (Provide this explanation below	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered.
8	<b>Exceeds 1% reason 2.</b> School, community, or health programs that draw large numbers of families of students with the most significant cognitive disabilities to live in the district	1	Y, N	If Y, supporting documentation is required to be attached at the time of submitting the WDE659 in order for the exception request to be considered.
9	<b>Exceeds 1% Other.</b>	1	Y, N	If Y, the district is required to attach supporting documentation at the time of submitting the WDE659 in order for the exception request to be considered.
10	Expanded explanation	1000	Text characters	Expanded explanation of percentage exceeding 1%. Limited to 1000 characters. Attachment additional sheets if necessary.