



**Continuous Improvement
Focused Monitoring Report
for**

HOT SPRINGS COUNTY SCHOOL DISTRICT #1

April 6 – 8, 2009

**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

Hot Springs County School District #1
School Year: 2008 – 2009
Date of On-Site Review: April 6 – 8, 2009

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 Focused Monitoring Stakeholder Group¹ worked with the WDE Special Programs Unit to set the priority indicators and weighted 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 two key indicators of student performance from the State's Performance Plan as priorities for the focused monitoring process. The ultimate goal of focused monitoring 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 weighted formula applied to all 48 districts using two variables. These variables are taken from Indicator 3C of the State Performance Plan (SPP), which can be viewed in its entirety at www.k12.wy.us. With Stakeholder Group input, the focused indicator for the 2008 – 2009 school year was narrowed to include PAWS proficiency rates for secondary school students only in both mathematics and reading.

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

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

Hot Springs County School District #1 (HSCSD #1) is considered a small school district and reported a special education population of 116 students on its 2007 WDE-425 report. Thus, the district's 2007 – 2008 data was ranked against data from all other 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 2007 – 2008 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	HSCSD #1 Rate	Overall State Rate excluding HSCSD #1
#3C Secondary Reading Proficiency	25.00%	28.14%
#3C Secondary Math Proficiency	21.73%	34.29%

In terms of the variables that are included in the weighted formula, HSCSD #1 scored approximately three percentage points lower than the state rate for secondary reading PAWS proficiency. In addition, the district's secondary PAWS proficiency rate mathematics was roughly 12.5 percentage points lower than the comparable overall state rate. When compared to other small districts, Hot Springs #1's math proficiency rate was higher than six other districts in this population group. However, when compared to the same group of districts, Hot Springs #1's proficiency rate in reading for secondary students was higher than only five districts' comparable rates. In the end, when these proficiency rates were combined and compared to other small districts, HSCSD #1's score was one of the two lowest of eligible districts, and the WDE selected the district for an on-site monitoring visit.

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 performance in math and low rates of regular class placement, the question of whether children had access to the general curriculum might be reviewed.

Focused Monitoring Conditions for Hot Springs County School District #1

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-636. The data led the WDE to create hypotheses in two areas 1) FAPE – Educational Benefit and 2) Child Find – Evaluation Procedures.

1. FAPE – Educational Benefit This hypothesis was formulated due to the district's PAWS proficiency rates for students with disabilities.

2. Child Find – Evaluation Process This hypothesis was formulated due to the district's comparatively high identification rates in the Cognitive Disability and Other Health Impairment disability categories. Conversely, the district's identification rate for students with a Learning Disability is comparatively low.

Details regarding the development of both hypotheses 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 two 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 Hot Springs County School District #1

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

The WDE noted that 2008 PAWS proficiency rates for students with disabilities in middle and high school were below the state rate in all areas except high school writing scores. In further examining the data, the WDE found that there were 37 students with disabilities who scored 'Below Basic' on at least two subtests of the PAWS. The WDE hypothesized that some of these students might not have IEPs which are calculated to result in educational benefit.

2. File Review

The 37 students mentioned above comprised the WDE's purposeful sample for exploring this hypothesis. Once on site in Hot Springs #1, the WDE began with a review of these students' special education files. Through this file review process, 25 files were removed from the sample for the following reasons:

- Fourteen files contained current IEPs that appeared reasonably calculated to result in educational benefit, and each file clearly documented student progress.
- Eight students had moved or transferred out of the school district.
- Three students had exited special education after being found no longer eligible for services.
- One student's file did not contain a comprehensive evaluation in all areas of suspected disability, making it impossible for the team to determine whether or not the student's IEP was reasonably calculated to result in educational benefit.

The remaining 11 files remained in the sample for one or more of the following reasons:

- In 6 of 11 files, all of the needs identified in the students' current evaluation reports were not incorporated into the IEP. In one IEP, no clear needs were identified at all.
- 8 of the 11 IEPs identified needs which were not addressed by goals.
- 8 of the 11 files contained one or more IEP goals that were not measureable.
- 4 of the 11 files contained a statement of services (special education and related services) that did not appear to adequately address the students' IEP goals.
- 11 of the 11 files contained unclear, inconsistent, or nonexistent progress reporting information.
- 3 or 11 files specified accommodations for use on the statewide assessment but failed to list any accommodations for use in instructional settings. In 4 other files, there were no accommodations, modifications or supplementary aids and services listed at all.
- 4 of these 11 students were receiving a 'D' or an 'F' in at least one core academic class.

3. Interviews

After the completing the file review, the WDE monitoring team interviewed special educators, general educators and related service providers regarding these eleven students. Through the interview process, six additional files were removed from the sample for one of the following reasons:

- Two files were removed when district staff provided compelling evidence to demonstrate that both students were making progress and receiving educational benefit.
- Regarding four students, district staff members were able to provide additional information about the students' programs, information not documented in the IEP.

This reduction left five students in the sample after the WDE completed the interview process. The following information, shared by district staff during interviews, further supports a finding in this area:

- While discussing a particular student whose progress was poor, a staff member mentioned that there was a “slim chance” that the student will meet his/her annual goals. However, the IEP team had not reconvened to address the student’s lack of progress.
- When asked for clarification about a student’s classroom accommodations, a staff member said that the student was to receive a number of accommodations and supports, but the teachers were “hit or miss on follow up.”
- One staff member explained a student’s poor progress by sharing, “We want to support [student name], but [he/she] does not ask for it.”
- When asked about a student’s mathematics needs (which were identified and discussed in the evaluation reports), a teacher responded “we pretty much leave it up to [him/her], sometimes [he/she] takes advantage of this.”
- WDE monitors asked if a certain student would benefit from additional special education services or support to increase his progress in the curriculum and were told that additional time in the resource room was only used as a consequence for the student not maintaining good grades.
- When asked if he/she could think of any strategies or activities that would enable a student to make adequate progress, a staff member remarked, “It would be great to pre-teach those skills, but there is no time to pull [student name] out in the morning.”
- In discussing what changes have been made to a student’s program in order to address his/her learning difficulties, staff members reported they have worked on study skills and encouraged after school help. However, the IEP team had not reconvened nor had any substantive changes been made to the program through an IEP amendment process.
- Regarding one particular student, a teacher noted that the “...need for modifications is huge. [Student name] gets para support everywhere.” However, no supplementary aids and services or modifications were included in the IEP.
- When a WDE team member asked about the possibility of a particular student receiving counseling, a district staff member stated, “[Student name] is not going to qualify for counseling.” However, this student was found eligible for special education and therefore “qualifies” for any related services he/she needs in order to benefit from special education.
- Regarding a student who is clearly struggling in reading, WDE monitors asked staff about reading services that may be provided. District staff members reported that nothing outside of general education was being provided, but one added, “I think that would be helpful.”
- When asked why the IEP did not reflect all of the programming and support a student was receiving, a district staff member reported, “We only put down what we know will happen.”
- When asked about next steps in addressing a student’s academic struggles, a district staff member replied, “Do we have a plan? Kind of.”
- When asked what might help a particular student make more progress, a staff member stated, “I really think the more reading we can do with [student name], the better off [he/she] will be.” However, the student’s IEP did not contain a reading goal nor did it call for any kind of specialized reading instruction.
- When asked to describe the special education services a student is receiving, a district staff member replied, “[Student name] gets study hall from Special Ed.”

C. Finding

The WDE finds that special education services in HSCSD #1 are not always provided in accordance with the FAPE requirements established in §§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).

In addition, for the student who is lacking a comprehensive evaluation (mentioned in subsection 2 above), the district must immediately complete all required assessment components as described under 34 CFR §§300.303 and 300.304, convene an IEP team meeting in order to determine the scope of the student's needs and develop appropriate educational programming. The student's WISER ID number can be found in the cover letter of this report. Within 45 business days of the date of this report, the WDE must be informed (in writing) of the completion of these assessments and resulting changes made to the IEP.

D. Recommendation

Although not an issue in all files reviewed, the WDE recommends that the district examine the level of documentation included in some of their IEPs. A large amount of information about student programming was only attained through interviews with staff and was not documented in student files. The IEP should clearly document all aspects of student programming and progress with a level of detail that would facilitate seamless implementation if the student transferred to another district. Furthermore, creation and implementation of any student's IEP must be based on the student's needs, not on available services, resources, or other external factors.

Area 2: Child Find – Evaluation Process

A. Citation

§300.304 Evaluation procedures

(b) Conduct of evaluation – In conducting the evaluation, the public agency must—

(1) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining—

(i) Whether the child is a child with a disability under §300.8; and

(ii) The content of the child's IEP, including information related to enabling the child to be involved and progress in the general education curriculum;

(2) Not use any single measure of assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and

(3) Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

(c) Other evaluation procedures. Each public agency must ensure that –

(4) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(6) In evaluating each child with a disability under §300.304 through §300.306, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

B. Evidence

1. Data

In reviewing the district's most recent WDE-427 data, the Department found comparatively low percentages of students identified as having a primary disability of Learning Disability (LD) and comparatively high percentages of students identified in the disability categories of Cognitive Disability (CD) and Other Health Impairment (HL). The WDE hypothesized that some students in the CD or HL categories might be legitimately identified under the LD eligibility criteria.

2. File Review

In order to explore this hypothesis, a random sample of 25 students with a primary disability category of cognitive disability or other health impaired was created. Once on site in Thermopolis, the WDE monitoring team conducted a file review in order to determine whether or not these students had a comprehensive evaluation to support the district's eventual eligibility determination. Through the file review process, all 25 files were removed from the sample, for one of the following reasons:

- Nine student files contained a legitimate medical diagnosis of ADD or ADHD, and each student exhibited a true need for special education.
- Seven student files had assessments and other documentation to support the students' eligibility under the CD or HL disability category.
- Six students had moved or transferred out of the district
- Three students had returned to regular education programming after being found no longer eligible for special education services.

C. Finding

The WDE does not find HSCSD #1 noncompliant in this area. The State's compliance hypothesis related to Child Find – Evaluation Procedures was not substantiated through on-site file reviews. The district is not 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, the WDE reviewed 33 files for this purpose. In Appendix A of this report details the results of this procedural compliance file review. For any file review item in which the district's compliance percentage is below 95%, the WDE requires that the district evidence correction of the noncompliance in its Corrective Action Plan (CAP) 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 Hot Springs #1. 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 87 surveys, and 12 parents returned completed surveys to the WDE (13.79%). In Appendix B of this report, the complete survey results are included for the district's review.

File Review 0901000	Number of files reviewed	Percent of files compliant
B. Most Recent Evaluation / Reevaluation		
B1. The file contains a current evaluation	33	100.00 %
B2. The file contains documentation that a reevaluation was conducted by the public agency at least once in the past three years .(300.303(b)(2))	33	100.00 %
B5. Prior written notice includes a description of the action the public agency is proposing or refusing. (300.503(b)(1))	33	100.00 %
B17. The initial evaluation/reevaluation includes a variety of assessment tools and strategies that provide relevant information that directly assist persons in determining the educational needs of the child and is administered by qualified evaluators. (300.304(b)(1)), (300.304(b)(2), (300.204(c)(7))	33	100.00 %
B19. As part of the initial evaluation/reevaluation, the IEP team reviewed current classroom based, local or state assessments. (300.305(a)(1)(ii))	33	* 93.94 %
B22. The file contains documentation that, as part of the initial evaluation/reevaluation, the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities. (300.304)(c)(4))	33	100.00 %
C. Eligibility Determination		
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))	33	100.00 %
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))	33	72.73 %
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))	33	100.00 %
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))	33	84.85 %
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.	33	100.00 %
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))	33	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))	33	78.79 %

File Review --- Trained reviewers' assesment of files Percent of "Yes" responses on each item	Number of files with a yes/no response	Percent of Yes responses
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))	33	54.55 %
E30. The IEP includes documentation when periodic reports regarding progress toward meeting annual goals will be provided. (300.320(a)(3)(ii))	33	100.00 %
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))	33	100.00 %
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))	33	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))	33	100.00 %
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))	33	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))	33	100.00 %
G. ESY		
G1. The file contains a parent notice that ESY services will be considered	33	9.09 %

Continuous Improvement Focused Monitoring Parent Survey Results for Hot Springs County School District #1

Total Respondents: 12
Total Parents who were mailed a survey: 87
Returned due to invalid address: 0
Response Rate: 13.79%

	Very Strongly Disagree	Strongly Disagree	Disagree	Agree	Strongly Agree	Very Strongly Agree	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.	17%	0%	0%	42%	17%	25%	84%
2. My child is included in the general education classroom as much as is appropriate for his/her needs.	0%	0%	9%	18%	18%	55%	91%
3. My child's educational needs are being adequately addressed by the school.	0%	0%	8%	42%	25%	25%	92%
4. My child has made adequate progress over the course of the past year.	0%	0%	8%	42%	25%	25%	92%
5. My child's special education program is preparing him/her for life after high school.	8%	0%	8%	58%	8%	17%	83%

6. Was your input considered during your child's most recent evaluation? 6a. If no, what comments would you have offered to the evaluation team? See next page for responses.	Yes 100%	No 0%	Don't Know 0%
7. Was your child's most recent evaluation conducted in all of the areas necessary (speech, intellectual, fine motor, academic, etc.)? 7a. If no, which areas should have been included that were not? See next page for responses.	Yes 100%	No 0%	Don't Know 0%
8. Could your child's school be doing more to address his/her educational needs and improve your child's progress in school? 8a. If yes, what could the school be doing? See next page for responses.	Yes 17%	No 58%	Don't Know 25%

	Very Strongly Disagree	Strongly Disagree	Disagree	Agree	Strongly Agree	Very Strongly Agree	Agree, Strongly Agree, Very Strongly Agree	State results (% who agreed)
9. My child's school provides me with information about organizations that offer support for parents of students with disabilities.	25%	0%	17%	50%	8%	0%	58%	50%
10. Teachers at my child's school are available to speak with me.	0%	0%	0%	45%	18%	36%	99%	90%
11. Teachers and administrators encourage me to participate in the decision-making process.	0%	0%	0%	50%	25%	25%	100%	84%
12. My child's school gives parents the help they may need to play an active role in their child's education.	0%	0%	17%	58%	8%	17%	83%	76%
13. My child's school explains what options parents have if they disagree with a decision of the school.	0%	0%	27%	36%	27%	9%	72%	68%

14. Any other comments that you would like to share?
[See next page for responses.](#)

**Continuous Improvement Focused Monitoring
Parent Survey Open-Ended Comments for
Hot Springs County School District #1**

8. Could your child’s school be doing more to address his/her educational needs and improve your child’s progress in school?

8a. If yes, what could the school be doing?

- Have more time with actual teachers, less aides. There will be two specialized teachers in the high school next year, so hope that frees up from so much case load for the one teacher this year.

14. Any other comments that you would like to share?

- I feel that HSC does a great job with my child. However I feel that they need something other than detention for behavior problems. After so many detentions children are not them seriously anymore.
- We have just became guardian of a Hot Springs County Special Needs student. We are pleased with the involvement and information they have provided us with to date

**Continuous Improvement Focused Monitoring
Parent Survey Demographics for
Hot Springs County School District #1**

Ethnicity	N	%
White	8	89%
Hispanic	1	11%

Primary Disability Code	N	%
Autism	2	22%
Cognitive Disability	1	11%
Traumatic Brain Injury	1	11%
Specific Learning Disability	2	22%
Speech/Language Impairment	3	33%

Grade Distribution	N	%
Kindergarten	1	11%
Grades 1-6	5	55%
Grades 7-8	1	11%
Grades 9-12	2	22%

Environment Code	N	%
Regular Environment	5	56%
Resource Room	3	33%
Separate Classroom	1	11%