



**Continuous Improvement
Focused Monitoring Report
for**

PARK COUNTY SCHOOL DISTRICT #6

February 9 – 13, 2009

**Special Programs Unit
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**Wyoming Department of Education
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Wyoming Department of Education Continuous Improvement – Focused Monitoring Report

Park County School District #6
School Year: 2008 – 2009
Date of On-Site Review: February 9 – 13, 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

Park County School District #6 (PCSD #6) is considered a large school district and reported a special education population of 356 students on its WDE-427 report. Thus, the district's 2007 – 2008 data was ranked against data from all other large 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	PCSD #6 Rate	Overall State Rate excluding PCSD #6
#3C Secondary Reading Proficiency	33.33%	28.02%
#3C Secondary Math Proficiency	33.75%	34.31%

In terms of the variables that are included in the weighted formula, PCSD #6 scored approximately five percentage points higher than the state rate for secondary reading proficiency. Compared to other large districts, Park #6's proficiency rate for secondary students with disabilities was higher than seven other districts in this population group. However, when compared to the other large districts, the district's mathematics proficiency rate for secondary students was the fourth lowest among districts in that population group. In the end, when these proficiency rates were combined and compared to other large districts, PCSD #6's score was one of the two lowest of eligible districts, and the district was selected 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 Park County School District #6

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 five areas: 1) FAPE – Extended School Year; 2) FAPE – Educational Benefit; 3) Child Find – Underidentification of LD and ED; 4) Disproportionality – Overidentification of White Students with Autism; and 5) Child Find – Overidentification of Hispanic Students with Disabilities.

1. **FAPE – Extended School Year** This hypothesis was based on the district's relatively low percentage of students receiving Extended School Year services.
2. **FAPE – Educational Benefit** This hypothesis was formulated due to the district's PAWS proficiency rates for students with disabilities.
3. **Child Find – Underidentification of LD and ED** This hypothesis was formulated due to district data reporting comparatively low percentages of students with a primary disability label of Learning Disability or Emotional Disability.
4. **Disproportionality – Overidentification of White Students with Autism** This hypothesis was founded on the district's alternate risk ratio of 3.56 on State Performance Plan Indicator 10.
5. **Child Find – Overidentification of Hispanic Students with Disabilities** This hypothesis was formulated due to district data showing that a significantly higher percentage of Hispanic students are identified as having a disability when compared to the district's white student population.

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 five 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 Park #6

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 – 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 combined December 2007 WDE-425 and July 2008 WDE-427 data collections, 11 students in PCSD #6 received Extended School Year (ESY) services. These 11 students represented 2.5% of the district's students with disabilities. This reported data is noteworthy, especially compared to the overall rate of students with disabilities receiving ESY in Wyoming, which stood at approximately 6.8% during the same period.

2. File Review

The WDE created a purposeful sample of 36 students in Park #6 who did not receive ESY during the 2007-2008 school year. The sample was composed of 35 students who were eligible for special education under one of the following disability categories: Autism (AT), Traumatic Brain Injury (BI), Cognitive Disability (CD), Hearing Impairment (HI), Multiple Disability (MU), or Visual Impairment (VI). None of these 35 students scored proficient or above on any 2008 PAWS subtest (reading, writing, mathematics). The final student added to the sample was one who scored Below Basic on all three 2008 PAWS subtests and was reportedly in a Self-Contained (SC) setting

Once on-site in Cody, the WDE reviewed these 36 students' special education files. At the conclusion of the WDE's file review, nineteen files were removed from the sample for the following reasons:

- Seven student files contained IEPs that appeared reasonably calculated to result in educational benefit without the provision of ESY services.
- Seven students had moved or transferred out of the district.
- Two students had dropped out of school.
- One student graduated in the spring of 2008.
- One student had recently exited special education after being found no longer eligible for services.
- One student's file indicated that he/she was actually receiving ESY services.

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

- 15 of 17 files contained an ESY box in the IEP that was checked 'no' with little or no further explanation. Of these 15, two files indicated that the team would meet in the spring to determine the students' need for ESY.

- 1 of the 17 files had an ESY box that was checked both 'yes' and 'no' with no further explanation.
- In all 17 files, the students' levels of progress were unclear due to inconsistent or non-existent progress reporting. However, 2 of the 17 files contained notes from staff indicating concerns about these particular students' progress.
- 2 of the 17 files indicated that the IEP teams in question would reconvene to determine the students' need for ESY at an unspecified date.
- 1 of the 17 files clearly documented one staff member's concerns about the student's regression over school breaks and vacations.

3. Interviews

After the file reviews were completed, resource room teachers, support staff, and related service providers were interviewed by WDE team members regarding these seventeen students' potential need for ESY. Through the interview process, fifteen additional students were removed from the sample for the following reasons:

- For ten of the students, district staff presented compelling evidence that the students were making adequate progress and were not in need of ESY in order to receive FAPE.
- Two students were reportedly receiving services outside of the district during lengthy school breaks.
- In one student's case, the district offered ESY services, but the parent refused them.
- In another student's case, district staff explained that the student's need for ESY would be discussed at an IEP meeting in March. Staff mentioned that they were recommending ESY for this particular student.
- One of the students is scheduled to receive ESY during the summer of 2009.

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

Student One:

- One staff member reported that he/she "didn't see the progress" they had expected in one academic area of concern.
- When asked about the student's possible need for ESY, a staff member stated that, "ESY wouldn't do any good because [student's name] doesn't hold information."

Student Two:

- A staff member mentioned that the student "isn't making a whole lot of progress" and that ESY should be recommended at the next IEP meeting.
- A staff member stated that the student "just lost all kinds of knowledge" after the Special Olympics.

C. Finding

The WDE does not find PCSD #6 noncompliant in this area. The State's compliance hypothesis related to FAPE – Extended School Year was not substantiated as a systemic area of concern through on-site file reviews and interviews with district staff.

The district is not required to address this finding and correct the noncompliance through the development and implementation of a Corrective Action Plan (CAP).

However, for the two particular students discussed above, the district must reconvene their respective IEP teams within 45 business days of the date of this report. The students' WISER ID numbers can be found in the report's cover letter. The IEP teams must 1) reconsider the students' need for ESY services, and 2) if necessary, modify the IEP to include appropriate ESY services in accordance with 34 CFR §300.106. The WDE must be informed in writing of any resulting changes made to the IEP.

Area 2: 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 noted above in the introduction of this report, the WDE noted that 2008 PAWS proficiency rates among students with disabilities in Park #6 were below the overall state targets for both language arts and mathematics at the middle and high school levels. Probing deeper into the data, the WDE discovered that 43 of the district's students with disabilities at any grade level scored 'Below Basic' on two or three PAWS subtests (reading, writing, and math).

In addition, the WDE learned that four of the district's students with a primary disability label of Emotional Disability (ED) were not receiving Counseling (CS), Psychological Services (PS), or Social Work (SW) as related services, which are often provided to students with emotional needs. After reviewing these data, the WDE hypothesized that some of these students might have IEPs that are not reasonably calculated to result in educational benefit.

2. File Review

Using these 47 students described above 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, ten students were removed from the sample for the following reasons:

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

This reduction left 37 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:

- 17 of the 37 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.
- 17 out of 37 files listed needs in the IEP which were not addressed by goals.
- 22 of the 37 files contained one or more goals that were not measurable.
- In 33 of the 37 files, the students' levels of progress were unclear due to inconsistent or non-existent progress reporting (three additional IEPs were implemented recently and had not yet reached a progress reporting period at the time of the WDE's visit).
- 5 out of 37 files contained a program of special education and related services that did not appear to address the student's needs and goals adequately.
- 22 out of 37 files indicated that accommodations were to be provided on an "as needed," "as appropriate," "at student's request," or other similar basis, indicating an unclear commitment to the delivery of these supports and services.
- 11 of the 37 files indicated that the students were failing at least one core academic class (mathematics, language arts, science, or social studies).

3. Interviews

Following the file review, special education staff, general education teachers and related service providers were interviewed regarding these 37 specific students. Through the interview process, 27 additional students were removed from the sample for the following reasons:

- Regarding thirteen students, district personnel were able to provide details demonstrating that each of the students were now making progress and receiving educational benefit.
- For eight of the students, those interviewed were able to provide compelling evidence that these students' needs were in fact being adequately addressed through special education and related services. In most of these cases, the students' needs had changed since their most recent triennial evaluation.
- For six students who appeared to be lacking goals in one or more areas of need, district staff 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.

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

- When asked about a student's progress, a staff member replied, "Progress? [Student's name] has failed all year." When the interviewer asked if the IEP team had reconvened, the staff member stated that he/she had been "trying since Christmas to get an IEP meeting going and we need to."
- For a student whose IEP stipulated that he/she was to receive support from a paraeducator as an accommodation, a teacher stated, "There is supposed to be a para, but all year long they have only been there ten times." The student in question is failing this teacher's class.
- A special educator was asked about one student's failure to make progress for two consecutive reporting periods. The staff member stated, "I've never had a kid struggle this much." When asked if the IEP team had reconvened, the teacher responded, "I don't know since I've never had a student struggle this much." There was no evidence that the IEP team had reconvened in the student's file.
- A staff member believed that one student's participation in certain special classes in the district would improve the student's poor progress. However, the staff member did not believe the classes were available to this particular student due to the student's disability category.
- When asked what might enable a particular student to improve his/her poor progress, a staff member replied that counseling would be "advisable." The teacher also added, "It's a shame nobody deals with this."
- For a student whose IEP indicated that he/she is to receive special education in mathematics, a staff member stated, "I have not focused on math as much as I should. I work on homework. [Student's name] can use a calculator."
- A WDE interviewer asked a special educator about the goal for one specific special education service; the teacher replied that the student did not have a goal for that service.
- When asked about a specific student's progress reports, a special educator stated that he/she has not completed any reports this school year.
- Regarding a student who is failing his/her class, a teacher stated that he/she did not know whether or not the IEP team had reconvened to address the student's lack of progress. The teacher stated that there has not been much "specific dialogue" about the student's progress and added, "I'm not sure what's done. Maybe it's a communication problem."

- When asked if a certain student was making adequate progress on his/her goals, a teacher responded, “No, he’s not.” The IEP team has not reconvened.

C. Finding

The WDE finds that special education services in PCSD #6 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).

Area 3: Child Find – Underidentification of LD and ED

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.*

§ 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 in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);

(2) Not use any single measure or 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—*

(1) Assessments and other evaluation materials used to assess a child under this part—

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

- (ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;*
 - (iii) Are used for the purposes for which the assessments or measures are valid and reliable;*
 - (iv) Are administered by trained and knowledgeable personnel; and*
 - (v) Are administered in accordance with any instructions provided by the producer of the assessments.*
- (2) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.*
- (3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).*
- (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;*
- (5) Assessments of children with disabilities who transfer from one public agency to another public agency in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with § 300.301(d)(2) and (e), to ensure prompt completion of full evaluations.*

B. Evidence

1. Data

In reviewing the district's most recent WDE-427 data, the Department noticed that Park #6 appeared to have comparatively low percentages of students in the primary disability categories of Learning Disability (LD) and Emotional Disability (ED). Specifically, the district's identification rate for LD stood at approximately 24%, and its rate for ED was roughly 3%; comparable statewide percentages were 39% and 8% respectively. The WDE hypothesized that some students identified in categories other than LD or ED might actually meet the state's eligibility criteria for these two disability categories.

2. File Review

In preparation for the visit, the WDE created a purposeful sample of 24 students: 12 of the students were identified as having a primary disability label of Speech Language (SL), and all of these twelve scored 'Below Basic' on two or more 2008 PAWS subtests (mathematics, reading, writing). The other twelve students were all placed in Self-Contained (SC) settings: three of these students were also identified as SL, and the nine remaining students were identified as LD.

Once on-site in Cody, the WDE reviewed these 24 students' special education files in order to determine whether or not they included any evidence that the students might meet the eligibility criteria for LD or ED. Through the file review process, twenty of these student were removed from the sample for the following reasons:

- Ten of the files gave no evidence that the students might truly have a Learning or Emotional Disability. In each case, eligibility under the SL category appeared to be well supported by documentation in the file.
- Six of the files contained no evidence that the students might have an Emotional Disability. For these six, the LD category appeared appropriate.
- Two of the students moved or transferred out of the district.
- Two of the students graduated in the spring of 2008.

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

- 4 of 4 files described longstanding concerns about these students' inappropriate interactions with others and challenging behaviors. For three of the four, these concerns were the primary cause for the students' referral for an initial evaluation.
- 3 of the 4 files included evidence that the teams had conducted social/emotional and functional behavior testing in the students' most recent evaluations.
- 3 of the 4 files contained a current Behavior Intervention Plan (BIP).
- 3 of the 4 files contained recent comments (in the current IEP) from staff about the students' challenging behaviors.

3. Interviews

Following the file review, the WDE monitoring team conducted a series of interviews with Park #6 staff in order to determine whether or not these four students could actually be appropriately identified as LD or ED. Through the interview process, all four of the students were removed from the sample for the following reasons:

- For three of the students, multiple district staff members gave the WDE team compelling reasons why these students were not likely to meet the ED eligibility criteria, despite the students' behavioral & social needs.
- For one student, staff informed the WDE that this particular student certainly met the eligibility criteria for LD and was likely to meet the eligibility criteria for ED. The team had conducted a comprehensive evaluation that included all the required pieces of an evaluation to determine eligibility for ED. However, the IEP team opted to list LD as the student's primary disability area in order to avoid any perceived stigma surrounding the ED label. The student appears to be receiving appropriate services for his/her social/emotional needs.

C. Finding

The WDE does not find PCSD #6 noncompliant in this area. The State's compliance hypothesis related to Child Find – Underidentification of LD and ED was not substantiated through on-site file reviews and interviews with district staff. The district is not required to address this area in a Corrective Action Plan (CAP).

D. Recommendation

The WDE declines to make a recommendation in this area. It appears that students in Park #6 are not being kept from LD and ED identification due to inappropriate policies, practices, or procedures.

Area 4: Disproportionality – Overidentification of White Students with Autism

A. Citation

§300.646 Disproportionality.

(a) General. *Each State that receives assistance under Part B of the Act, and the Secretary of the Interior, must provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State with respect to—*

(1) *The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of the Act;*

B. Evidence

1. Data

Using the alternate risk ratio formula described under Indicator 10 of Wyoming’s State Performance Plan, the WDE determined that Park #6’s WDE-425 and WDE-427 data showed a disproportionate representation of white students in the Autism (AT) disability category. Overall, the district reported having 328 white students with disabilities. Of these 328 students, 17 were identified as having Autism. Thus, the district’s alternate risk ratio was 3.56 for white students with Autism. The WDE included thirteen of these white students with AT in its purposeful sample for this hypothesis².

2. File Review

Once in Cody, the WDE team reviewed these students’ special education files to determine whether or not these students had been appropriately identified as having Autism. Through the file review process, all thirteen files were removed from the sample for the following reasons:

- Ten files contained persuasive evidence that these students truly met the State’s eligibility criteria for Autism.
- Two students had moved or transferred out of the district.
- One student had exited special education after being found no longer eligible for services.

Because all of the student files in this sample were removed from consideration through the file review process, the WDE did not take any further steps in its exploration of this issue.

C. Finding

The WDE does not find PCSD #6 noncompliant in this area. The State’s data investigation determined that these students’ identification is not due to inappropriate policies, practices, or procedures. The district is not required to address this area in a Corrective Action Plan (CAP).

² Students who took the PAWS-ALT were excluded from this particular sample.

D. Recommendation

The WDE declines to make a recommendation in this area. It appears that Park #6 is identifying students with Autism appropriately, without regard to the student race/ethnicity.

Area 5: Child Find – Overidentification of Hispanic Students with Disabilities

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.*

§ 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 in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);

(2) Not use any single measure or 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—*

(1) Assessments and other evaluation materials used to assess a child under this part—

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

(ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what

the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;

(iii) Are used for the purposes for which the assessments or measures are valid and reliable;

(iv) Are administered by trained and knowledgeable personnel; and

(v) Are administered in accordance with any instructions provided by the producer of the assessments.

(2) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

(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;

(5) Assessments of children with disabilities who transfer from one public agency to another public agency in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with § 300.301(d)(2) and (e), to ensure prompt completion of full evaluations.

§300.306 Determination of Eligibility

(a) Special rule for eligibility determination. A child must not be determined to be a child with a disability under this part—

(1) If the determinant factor for that determination is—

(i) Lack of appropriate instruction in reading, including the essential components of

reading instruction (as defined in section 1208(3) of the ESEA);

(ii) Lack of appropriate instruction in math; or

(iii) Limited English proficiency

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Part 4, Section 11

(f) The evaluation process must take into account that the child does not exhibit any one of the exclusionary variables (i) through (v)

(ii) Speech or language difficulties resulting from dialectical difference or from learning English as a second language, unless the child has a language impairment in his or her native language

B. Evidence

1. Data

According to the combined December 2007 and July 2008 (WDE-425 and WDE-427) data collections, Park #6's identification rate of Hispanic students with a disability was approximately 20%. This was notably higher than the district's comparable rate for white students, which was about 13%. The WDE hypothesized that some of the district's Hispanic students who are identified as having a disability might not actually meet the state's eligibility criteria for the category in which they are identified.

2. File Review

In probing this hypothesis, the WDE created a purposeful sample of 12 Hispanic students: 11 of the 12 were identified as having a Speech Language (SL) disability, and one of the 12 was also reportedly an English Language Learner (ELL).

Once on-site in PCSD #6, the WDE reviewed these twelve students' special education files to determine whether or not each student had been accurately identified as having a disability under federal and state rules. Through the file review process, all twelve students were removed from the sample for the following reasons:

- Seven of these students' files contained no evidence found in their files to suggest an inappropriate identification issue. For the single student who was also reported as an English Language Learner, the WDE learned that his/her speech and language difficulties were evident in both English and Spanish.
- Three students had recently moved or transferred out of the district.
- Two students had exited special education after being found no longer eligible for services.

C. Finding

The WDE does not find PCSD #6 noncompliant in this area. The State's compliance hypothesis related to Child Find – Overidentification of Hispanic Students with Disabilities was not substantiated through the WDE's on-site file review. The district is not required to address this area in a Corrective Action Plan (CAP).

D. Recommendation

The WDE declines to make a recommendation in this area. It appears that Hispanic students in Park #6 are not being inappropriately identified due to district policies, practices, or procedures.

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, 78 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 Park #6. 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 304 surveys, and 41 parents returned completed surveys to the WDE (13.5%). In Appendix B of this report, the complete survey results are included for the district's review.

File Review 1506000	Number of files reviewed	Percent of files compliant
B. Most Recent Evaluation / Reevaluation		
B1. The file contains a current evaluation	78	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))	78	100.00 %
B5. Prior written notice includes a description of the action the public agency is proposing or refusing. (300.503(b)(1))	78	98.72 %
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))	78	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))	78	* 93.59 %
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))	78	97.44 %
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))	78	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))	78	88.46 %
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))	78	98.72 %
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))	78	92.31 %
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.	78	98.72 %
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))	78	98.72 %
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))	78	91.03 %

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))	78	60.26 %
E30. The IEP includes documentation when periodic reports regarding progress toward meeting annual goals will be provided. (300.320(a)(3)(ii))	78	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))	78	94.87 %
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))	78	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))	78	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))	78	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))	78	100.00 %
G. ESY		
G1. The file contains a parent notice that ESY services will be considered	78	5.13 %

**Continuous Improvement Focused Monitoring
Parent Survey Results for
Park County School District #6**

Total Respondents: 41
Total Parents who were mailed a survey = 304
Response Rate = 13.50%

	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.	8%	50%	18%	26%	26%	18%	70%
2. My child is included in the general education classroom as much as is appropriate for his/her needs.	10%	2%	7%	22%	20%	39%	81%
3. My child's educational needs are being adequately addressed by the school.	7%	10%	10%	22%	20%	32%	74%
4. My child has made adequate progress over the course of the past year.	7%	10%	7%	32%	22%	22%	76%
5. My child's special education program is preparing him/her for life after high school.	13%	3%	21%	34%	5%	24%	63%

6. Does your child receive Extended School Year (ESY) services? 6a. If no, do you think your child would make more progress if he/she received these services? 6b. If yes, do you think the amount/type of these services is appropriate for your child? See additional pages for responses.	Yes 12%	No 76%	Don't Know 12%
7. Could your child's school be doing more to address his/her social, emotional, or behavioral needs and improve your child's progress in school? 7a. If yes, what could the school be doing? See additional pages for responses.	Yes 23%	No 69%	Don't Know 8%
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 additional pages for responses.	Yes 23%	No 64%	Don't Know 13%
9. If your child receives Speech Language services, do you think the amount/type of these services is appropriate for your child? 9a. Please explain. See additional pages for responses.	Yes 83%	No 9%	Don't Know 9%

	Very Strongly Disagree	Strongly Disagree	Disagree	Agree	Strongly Agree	Very Strongly Agree	Agree, Strongly Agree, Very Strongly Agree	State Results (% who agreed)
10. My child's school provides me with information about organizations that offer support for parents of students with disabilities.	8%	13%	33%	26%	8%	13%	47%	50%
11. Teachers at my child's school are available to speak with me.	7%	2%	2%	39%	20%	29%	88%	90%
12. Teachers and administrators encourage me to participate in the decision-making process.	5%	10%	5%	32%	22%	27%	81%	84%
13. My child's school gives parents the help they may need to play an active role in their child's education.	5%	7%	15%	32%	20%	22%	74%	76%
14. My child's school explains what options parents have if they disagree with a decision of the school.	10%	10%	18%	38%	15%	10%	63%	68%

15. Any other comments that you would like to share?
[See additional pages for responses.](#)

**Continuous Improvement Focused Monitoring
Parent Survey Open-Ended Comments for
Park County School District #6**

6. Does your child receive Extended School Year (ESY) services?

6a. If no, do you think your child would make more progress if he/she received these services?

- I believe that if my child's deficiencies are targeted and he is worked with on an individual basis instead of just one of the students in a smaller pull out class I believe that he would make more positive progress.
- I do not believe he would benefit that much, but he does miss being with his peers.
- I feel her progress is moving along at the correct pace.
- I'm not sure if he needs it although maybe it would help.
- If ESY means summer school, then he did get that service last summer. If it is something else, then no.
- No I feel that my child is progress is great just within the school year.
- No she seems to do fine without it. She has taken summer school but hasn't really gotten much out of it from what I can see.
- Perhaps it would help although I'm real sure if he needs it.
- Probably, she gets speech therapy during the school year but not in the summer.
- She could, but it is just slight speech/reading deficiency.
- Yes.
- Absolutely!
- No
- Unsure
- Yes

6b. If yes, do you think the amount/type of these services is appropriate for your child?

- I am not sure if my child could get social skills training over the summer or not.
- I don't know. He has never been in an ESY program. Nobody thinks he needs it, but mom.
- I think the type of these services could have more scholastic learning in lieu of art and play time. My child needs constant review of spelling and math in order to retain.
- My son has autism, and routine is important. Summer school helps keep the continuity. This summer we will also be able to use respite and rehab care to help keep a routine for him. However, additional days of summer school, even if only for a few hours, would be helpful to him in order to maintain the routine.
- Yes these services have help my child keep up with the schools programs for the following school year. So as not to fall so far behind over the summer.
- Yes, during the school year yes but would benefit from year round services.
- Yes.
- Have no idea if services are even available.
- Yes, it's enough to keep my child from falling back. When school starts it's easier for my child to get right into the classroom work that awaits him.

7. Could your child's school be doing more to address his/her social, emotional, or behavioral needs and improve your child's progress in school?

7a. If yes, what could the school be doing?

- Provide a aid. Provide up to date software for special needs. He was removed from P.E. without parent knowledge they do not follow I.E.P. He's left out of school activities.
- Should be getting school counseling at parents request even though student does not feel need to get counseling.

- Socially let him go "visit" the regular classroom instead of being just in S.L. and PT/OT classes. Behavioral - they need to stay out of his way when he is trying to "attack" them and they don't.
- The school does NOT seem to believe that the bullying situation that is prevalent within its walls is worth tackling otherwise they would be tackling it in a serious no tolerance manner. My child is intimidated by other students and says that teachers and administrators see students doing the bullying and ignore it. Many times (according to my child) there is only one teacher on duty during a large congregation of students such as lunch. If a student is being bullied, they are more interested in "survival" and less in the academics. Pull out classes tend to increase the "differences" between students which increases the likelihood the student becomes a target for bullying.
- The school needs to educate peers on what the differences are. Help the other children understand what it is, how to help, that its not contagious. The school should also understand that they socially isolate a child when they remove them from the classroom.
- There is always better and more that we can do. The teachers always keep up dated on what can be done and applies what we agree needs to be done.
- We have put together a behavior plan whereby I would be receiving daily reports via email regarding all the above and monthly reports from other teachers. I get occasional emails in lieu of daily from her main teacher and have yet to receive any from any other teachers.
- As of a week ago my child was only being graded in 3 areas and none of the grades were above a D. She is very high functioning for a special ed student and these grades are unacceptable. But the teachers don't expect enough from her. I'm not sure how to fix this.

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?

- 1. Deal with the bullying issue. 2. The aides and teachers need to work with the students on teaching learning techniques and organizational techniques rather than making the answers easier to find, by retyping passages in simpler language. These students continue to need to be challenged and not handed the answers on a "silver platter". 3. More integration with standard courses -- instead of taking students out of the classes send the aides in.
- A aid full time. Follow IEP plan - they do not do that now.
- I have continually asked the school to help my child with tests and quizzes. This is an area that she struggles with and continues to struggle with, I don't see any effort being made to help my daughter with this area. This is something I mention at EVERY IEP Meeting.
- Letting him do an ESY program.
- Organizational skills.
- Our daughter receives limited speech therapy. I strongly believe that she could have progressed much more rapidly if she had received speech more often & on an individual basis, rather than one time/week in a group setting. I believe her progress is as much related to natural maturity as the group speech received.
- The special education department has decided that if a child has a disability there is no way they can perform to the same caliber as the other children in their grade so they don't even strive for it. The children are not challenged and are allowed to remain stagnant in their educational growth for months at a time When the child verbally expresses their boredom with the "easy" tasks the special education teacher moves them to a new level. These children will remain behind their peers and not function at grade level until this attitude changes.
- They could focus on more basic math without the calculators as well as spelling and reading. I would also like to see more constructive use on the computers and no games.

- More general math. More problem solving. More daily follow up on the problems she's having.

9. If your child receives Speech Language services, do you think the amount/type of these services is appropriate for your child?

9a. Please explain.

- Group speech classes did not necessarily work on her own deficiency. Therapy did not occur often.
- He get's SL at school and out of school an mom's time. It could go for a longer time span though.
- He goes for 40min./week. I think this is okay.
- He receives two sessions per week through the school and two sessions per week through private services.
- I believe he is seen twice a week for a 20 minute session. I think this is adequate.
- I feel that my child needs these services. Even though his progression has been amazing, he still needs some work.
- I feel these services has help my child greatly.
- I trust the school speech therapist when she says the amount he needs. Having no expertise, I don't know if she is correct. He is not improving much, but I don't know if more sessions would help or not.
- My child doesn't have much of a disability and it appears that the Speech Languages Service helps appropriately regarding her needs.
- My son gets speech therapy in school 4 days a week (the fifth is computer lab). We have coordinated with the school to allow him to leave school an hour early two days a week to continue with his speech therapist he was seeing prior to starting kindergarten.
- N/A
- She appears to be progressing.
- She seems to improve on her language skills.
- Speech is given with multiple children in a small room - not in a variety of settings as agreed in IEP.
- Type-social skills yes-finally.
- My child lost her teeth at a young age due to an accident. Speech services has helped her more than you would believe. I love the fact that she gets help and that everyone can understand what she ie saying. Which helps with her school work.
- Since receiving Speech Language services his vocabulary and understanding of others has improved dramatically making him easier to understand and able to fully express himself and his needs to those around him.

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

- Awesome service thank you.
- I could not get the survey on the internet.
- I don't feel that the principal, who is a reflection on the school, deals well with parents unless they agree with him. I don't feel that when a parent disagrees with him he actually listens to them.
- I feel that Eastside in a wonderful school for my children. They love it there.
- I feel that certain teachers have natural ability to provide the necessary elements to special needs students and that quality is not possessed by all teachers and cannot simply be taught. It's a type of passion for what they do.
- I feel the director of special education is very approachable and truly looks out for the best interests of the student. I feel the speech language at Middle School level is inadequate for autistic children. I feel that all Park #6 should attend mandatory training. (Not just special education staff).

- I have requested several times for arrangements to spend a day observing what they are doing in school and have not gotten a response back. I am surprised at this as I would think they would like a parent to be involved and informed about their child's activity. However, when I have showed up at the class with my son, the staff have been friendly to me and have showed me some of the things they are doing with him. I have also visited with the aid that brings my son home and been able to find out a few things about him day, but it is usually limited. A useful tool has been a notebook that they write in to tell us about anything significant that has gone on that day. I have also allowed us to respond and provide input back. In reference to question 7. The school added adaptive PE to help him with appropriate and safe play, something he is currently incapable of. This was added to his schedule after the school year started and they got to know him. They have also had him out
- I would like to see more time focused on scholastic needs and after school preparation rather than so much free/play time. When there is cooking done it seems like it usually a sweet treat than basic learning of measurements/preparation and clean-up
- I'm very pleased with all the help my child has received. He's made great progress!
- I'm glad these services are offered for my children. I don't know what I'd do without these services. I feel both of my children would have fallen way behind. THANK
- My child's teachers and helpers have helped my child greatly.
- Our child has only recorded speech therapy for articulation and we feel these sessions have been adequate.
- Park County School District 6. Have been wonderful. They have instated his IEP very professionally and are very easy to work with from a parents view thank you.
- Question 10 does not apply to us. I appreciate all they are doing. We are grateful for the services we receive!
- This school only provides a certificate of attendance for special ed students. I would like my child to receive at least a certificate of Completion or something that shows some achievement.
- Very good experience at Sunset Elementary School. Everyone is top notch.
- We have fought all the way to get the services we have. We work on math, reading and spelling on our own outside of school and have moved into skills the school has not even started on because they don't believe the child can do it.

**Continuous Improvement Focused Monitoring
Parent Survey Demographics for
Park County School District #6**

Ethnicity	N	%
White	28	93%
Hispanic	2	7%

Primary Disability Code	N	%
Autism	4	13%
Traumatic Brain Injury	1	3%
Cognitive Disability	4	13%
Developmental Delays	1	3%
Hearing Impairment (including Deafness)	1	3%
Other Health Impairment	4	13%
Specific Learning Disability	3	10%
Speech/Language Impairment	12	40%

Grade Distribution	N	%
Kindergarten	3	10%
Grades 1-6	20	67%
Grades 7-8	2	7%
Grades 9-12	5	19%

Environment Code	N	%
Regular Environment	20	67%
Resource Room	7	23%
Separate Classroom	3	10%