WDE
Opportunity Through Education

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Individuals with Disabilities Education Act
Results Driven Accountability
Initial Monitoring Report
for
Fremont County School District #25

Monitoring Dates: February 3, 2025 - April 17, 2025
Report Date: June 10, 2025

Report Created by: Wyoming Department of Education, Special Education Programs Division

TO: Petrina Murfitt, Director of Special Services
Fremont County School District #25

FROM: Sheila Thomalla, Monitoring Team Supervisor

SUBJECT: Results Driven Accountability Initial Monitoring Report

REVIEW DATE: February 3, 2025 - April 17, 2025

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Introduction

In accordance with 34 CFR § 300.600, the Wyoming Department of Education (WDE) is required to monitor and enforce the requirements of the Individuals with Disabilities Education Act (IDEA). The focus of this monitoring process is to promote systems change that will positively influence educational results and functional outcomes for students with disabilities. This report reflects the findings as the result of an initial monitoring of Fremont County School District #25 (Fremont 25).

CFR § 300.600 State monitoring and enforcement.

(a) The State must-

(1) Monitor the implementation of this part;

(2) Make determinations annually about the performance of each LEA using the categories in § 300.603(b)(1);

(3) Enforce this part, consistent with § 300.604, using appropriate enforcement mechanisms, which must include, if applicable, the enforcement mechanisms identified in § 300.604(a)(1) (technical assistance), (a)(3) (conditions on funding of an LEA), (b)(2)(i) (a corrective action plan or improvement plan), (b)(2)(v) (withholding funds, in whole or in part, by the SEA), and (c)(2) (withholding funds, in whole or in part, by the SEA); and

(4) Report annually on the performance of the State and of each LEA under this part, as provided in § 300.602(b)(1)(i)(A) and (b)(2).

This report sets forth the results of the initial monitoring of Fremont 25.

District Selection

Fremont 25 was selected for monitoring to assess compliance with federal IDEA regulations and to support continuous improvement in the provision of special education and related services to students with disabilities. The monitoring focused on all aspects of the implementation of individualized education programs (IEPs), procedural safeguards, and child find.

The monitoring took place from February 3, 2025 to April 17, 2025. Monitoring activities included file reviews, on-site observations, interviews, and a review of documentation submitted by Fremont 25 to the WDE. The initial file review sample included 125 students. Twelve files were removed from the sample due to various reasons including students returning to regular program, receiving services that eliminate their participation in the initial hypothesis group or other program exit reasons. 113 files were reviewed. Interview questions regarding the file reviews were electronically sent to and returned by the Fremont 25 Director of Special Programs. On-site observations, encompassing general education settings, resource settings, programs to include Behavior Support Programs (BSP) and Individualized, Developmental, Educational, Ability Level Program (IDEAL), and various other activities to include APE, recess and hallway transitions, were conducted over four days across five school buildings within the district. All documentation provided to the WDE was thoroughly reviewed. After a review of the data, The WDE monitored a sample of special education records for Fremont 25 in compliance with part B regulations governing the following areas:

- Free Appropriate Public Education (FAPE) - to include oversight and implementation of IEPs - all students in grades 1-12
- Comprehensive Evaluations (CE)
- Least Restrictive Environment (LRE)
- Speech/Language (SL)
- Extended School Year (ESY)

The WDE found the district in compliance for 38 files and out of compliance for 75 files. The following is a detailed explanation of systemic findings.

Systemic Findings

Area #1: IEP Development - Present Levels of Functional and Academic Performance (PLAAFP)

Citation:
§ 300.320 Definition of individualized education program.
(a) General. As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§ 300.320 through 300.324, and that must include -
(1) A statement of the child's present levels of academic achievement and functional performance, including -
(i) How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
(ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

§ 300.324 Development, review, and revision of IEP.
(a) Development of IEP -
(1) General. In developing each child's IEP, the IEP Team must consider -

(i) The strengths of the child;
(ii) The concerns of the parents for enhancing the education of their child;
(iii) The results of the initial or most recent evaluation of the child; and
(iv) The academic, developmental, and functional needs of the child.

Evidence:
Files for 17 students contain PLAAFP statements that were found out of compliance. Eight PLAAFP statements contained significant portions that had been copied and pasted from another document in the file. For example, the PLAAFP statement for Student #75 contains a restatement of evaluation results that is two years old and ESY progress reports from 2022. This information fails to adequately describe the student's current academic and functional performance needed to develop appropriate IEP goals and a reasonably calculated service package. The PLAAFP for Student #27 includes MDT notes from 2023 and progress on previous IEP goals. The PLAAFP states that the student "has partially met" the reading goal and goes on to state the skills expected of grade level peers. This statement lacks current skills exhibited by the student and how the disability impacts involvement and progress in the curriculum. Further, PLAAFP statements composed of data primarily from evaluations that are two years old or more do not describe current levels, and therefore make it difficult for the team to compose an IEP that meets the student's current needs.

The PLAAFP for Student #28 was composed almost entirely of content copied from recent evaluation summaries completed as part of the three-year re-evaluation. While this information may provide some general context, it primarily reiterates standardized assessment results and eligibility determination data. It fails to address how the student is currently performing in the classroom, their instructional needs, or how the disability impacts their access to and progress in the general education curriculum.

Conclusion:
Noncompliant. The PLAAFP statement must reflect current performance related to academic *and* functional skills and how the student's disability impacts their ability to access the general education setting. The PLAAFP is the foundation for the development of goals and various components of a student's service package and therefore, overall FAPE offering. In the reviewed files, several PLAAFP statements were composed primarily of information copied from recent evaluation reports, district and state assessment results, student grades, and qualitative teacher narratives—including entire report cards. While such data is relevant, it lacked context regarding the student's current functioning in relation to the general education curriculum and peers, as required by § 34 CFR 300.320(a)(1)(i). Copying content directly from other sources without integrating individualized analysis reflects a lack of intentionality in IEP development. This practice results in vague or incomplete descriptions of the student's strengths and needs, leading to difficulty identifying specific skill deficits and developing appropriately targeted goals. These findings indicate a broader systemic issue in the development of PLAAFP statements. The district will be required to ensure training for all special education staff on how to develop a compliant PLAAFP including the disability impact statement.

Area #2: Supplementary Aids and Services

Citation:
§ 34 CFR 300.320(a)

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child -

(i) To advance appropriately toward attaining the annual goals;

(ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and

(iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

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(7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.

Evidence:
20 files have noncompliance pertaining to supplementary aids and services. Specifically, these files contain inadequate descriptions of frequency, duration, and location. Student #60 statements of supplementary aids and services use terms such as "Daily", “As Stated” and “Classroom/State/District Tests.” This is vague and does not describe the frequency, duration, and location of services the student requires to access the curriculum. Student #3 has an accommodation listed “[Student] is provided with multiple, individual breaks as needed, within the classroom and for state/district testing.” An additional accommodation is listed as “Sensory breaks are preferred and helpful to regain focus.” Using terms such as “as needed,” especially for breaks, without specifying the criteria surrounding the student’s need for a break, how long, and where are just a couple of missing considerations.

Similar concerns exist with Supplementary Aids and Services pertaining to extended time for assignments and assessments. Student #22 has an accommodation that states “[Student] is provided with extended time for assignments and assessments, Frequency: As stated, Duration: As needed, Location: Class, district, state tests.” Student #55’s IEP states “[Student] will be provided extended time on assignments and assessments due to reading rate and to help process information” Frequency: Throughout the School Day, Duration: Classroom/State/District, Location: All Environments;" These accommodations lack specificity regarding the amount of additional time required for the student to advance appropriately toward IEP goals and participate in the general education curriculum. The IEP team is responsible for determining the frequency, duration and location of the supplementary aids and services to ensure the student receives FAPE. When the

IEP lacks this specificity it allows for misinterpretation of others outside of the IEP team on how these services will be provided..

An additional concern was present regarding the statement of Supports for School Personnel. Student #71's IEP includes "Regular consultation with the team with Orientation & Mobility provider" but does not include the frequency, duration, or location in which this consultation will occur. This is a required statement as it ensures the district provides resources as agreed upon for the student's needs.

Conclusion:
Noncompliant. IEPs that lack sufficient detail regarding the frequency, duration, and location of supplementary aids and services are not compliant with the regulations. Clear specifications are crucial for effective implementation, as they enable teachers and related service providers to accurately plan and deliver services. Moreover, they facilitate the monitoring of student progress and ensure accountability by demonstrating that the school district is providing the services outlined in the IEP. Without this information, it becomes impossible to determine whether the student is receiving the appropriate level of support, impacting the effectiveness of the IEP and potentially hindering the student's ability to achieve their educational goals. "What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency's commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to each of the various services to be provided must be appropriate to the specific service, and clearly stated in the IEP in a manner that can be understood by all involved in the development and implementation of the IEP." Federal Register Vol 71 46667

Area #3: Goal Development

Citation:
§ 300.320(a)
(2)
(i) A statement of measurable annual goals, including academic and functional goals designed to -
(A) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
(B) Meet each of the child's other educational needs that result from the child's Disability;
(ii) For children with disabilities who take alternate assessments aligned to alternate academic achievement standards, a description of benchmarks or short-term objectives;
(3) A description of -
(i) How the child's progress toward meeting the annual goals described in paragraph (2) of this section will be measured; and
(ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

Evidence:
35 files contain goals that do not meet the minimum requirements of the Federal regulations. IDEA requires measurable annual goals that meet the child's needs and allow them to make progress in the general education curriculum. There were four key areas in which the development of measurable goals was lacking. Four files contained goals that were repeated from a previous IEP. It is imperative that IEPs change meaningfully to ensure the student is progressing toward the general education curriculum. Progress on goals is one of the standards for determining if a student is receiving educational benefit.

A component of a goal is the requirement to define when periodic reports of progress will take place. This must be done, at minimum, concurrent with the issuance of report cards. Eight files contain goals lacking a description of when these periodic reports will be provided.

19 files contain goals that are not measurable. The measurability of a goal is crucial to ensure a way of clearly determining if the student is making adequate progress on closing the gap in achievement. Student #9 has a goal that states "[Student] will demonstrate socially acceptable behavior while in the community while interacting with other adults with a 75% average accuracy over 3 out of 4 sessions." As written, socially acceptable behavior is subjective which makes it difficult to measure. Student #41 has a goal that states, "By the completion of the IEP, when given basic multiplication and division facts (1-12), [Student] will solve the problems with 90% accuracy or above. [They] will also apply what [they] know about basic multiplication and division to solve two-digit by one-digit multiplication problems and long-division (triple-digit dividend with single-digit divisors) with 90% accuracy." This goal identifies multiple skills in one goal which makes it challenging to measure. Student #67 has a goal that states "[Student] will participate in up to twenty minutes of continuous endurance exercise." This goal is vague in that continuous endurance exercise is subjective, making it immeasurable.

Student #56 has a goal that does not address a skill deficit and therefore cannot be adequately measured to determine progress toward the identified student needs. The goal states, "[Student] will meet with a special education teacher two times per week for 20 minutes each session to review [their] grades, missing assignments, and organize materials. [They] will communicate with [their] teachers through the support of the special education teacher to ensure [they] understands the teacher's expectations and concepts, participate in class activities/discussions, and request help when [they] are uncertain of directions, task, or expectations. This goal will be met when 5 of 6 core teachers report [Student] is demonstrating the identified executive function skills for 3 consecutive progress monitoring quarters." Meeting with a special education teacher to review grades and missing assignments is not a skill that can be taught through specially designed instruction. The specific skills meant to target the student's individual needs are not described, and therefore, there is no way to adequately measure the student's progress or attribute any progress to specific instruction or skills.

Finally, short-term objectives or benchmarks are an identified area of noncompliance related to goal development. Students who take the alternate assessment are required to have goals written with short-term objectives or benchmarks. This allows for the opportunity to measure incremental progress for students who learn at a slower rate where showing progress may be difficult. While

benchmarks or short-term objectives are only required for students on an alternate assessment, an IEP team may elect to use them in other situations. Benchmarks and short-term objectives should be measurable and written with a specific timeline for measurement. Writing the timeline as “IEP Cycle” or “for the length of the IEP” negates the purpose of the smaller incremental measurements. These timelines should align with the periodic reporting of the goal. Student #58 has two academic goals that are lacking short term objectives. Additionally, the objectives included in the math goal lack a time frame and other goals in the IEP include “IEP Cycle” as the specified timeframe. The short term objectives in six out of seven goals for Student #33 are written for the duration of the IEP. Student #7 has 6 goals in which objective timeframes are for the duration of the IEP and one IEP goal in which objective timeframe states “nine months” for both objectives.

Conclusion:
Noncompliant. The development of measurable annual goals is out of compliance with the Federal regulations. If a goal is repeated due to lack of progress, the IEP team must reassess the student's needs and revise the approach. § 300.320(a)(2) requires goals be written to support the student in progressing toward the general education curriculum. A lack of clarity in defining how and when progress will be reported on goals, violates the parents rights to how their child is progressing toward the curriculum. Further, the absence of clearly defined, skill-based goals makes it difficult to design effective instruction or measure progress toward the general curriculum. Finally, short-term objectives or benchmarks are intended to support students participating in extended standards and alternate assessments These findings indicate a systemic failure to develop goals that are meaningful, measurable, and aligned with student needs, potentially denying students with disabilities a FAPE.

Area #4: Progress Monitoring

Citation:
§ 300.324(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.

Evidence:
Seven files have concerns regarding progress monitoring and reporting. Two files were missing at least one progress report without other documentation of the student’s progress in the file. Student

#75's progress for three goals states "Data collected 10/24/2024 through 12/13/2024. This is a new goal for [Student]. [Student] has been practicing this skill with support and prompts." This progress report does not align with the methods described in each of the three goals nor does it give data about how the student is currently performing as it relates to skills in the goals. During the December 2024 reporting period for Student #3 the progress reported on four goals states, "[Student's] progress on this goal has stalled. Absences paired with a lack of necessary glasses and regular exhaustion has made it difficult for [Student] to focus on [their] school work, and for us to collect reliable data. [Student] struggles to see [their] tasks and stay on task. [Student] regularly requires naps and can start to drift off to sleep while working on assignments." This is problematic in that it is clear the student has needs that are impacting progress in the general education curriculum yet there is no evidence in the file that the team has addressed these concerns.

Three student IEPs indicated the students were not making progress towards their goals and there was no evidence that the team addressed the lack of student progress. Student #42's math goal states, "By the end of the IEP cycle, [Student] will answer 2x2 addition and subtraction problems that require regrouping with 85% accuracy over three consecutive trials." Progress reported indicates declining progress over time as the student went from 94% (with regrouping) in February 2024, 80% without regrouping in October 2024, and 0% without regrouping in December 2024. Further, progress reported in February 2024 is not aligned with the goal as it reports progress on addition and subtraction problems that do not require regrouping while the goal measures problems that require regrouping. Two additional files indicate that the students had met IEP goals documented over multiple progress reporting periods and there was no evidence that the team addressed this. Student #35's math goal states, "By September of 2025, [Student] will be able to decompose 2 numbers when adding to arrive at the correct answer with 80% accuracy in 3 consecutive trials as measured by the special education teacher." The student's progress reports indicate that the student met this goal with 100% accuracy one month after it was developed and has maintained 100% accuracy for each of the following progress reporting periods. There is no evidence that the team reconvened to address current needs related to math. Student #20's social work goal states "By the annual review date, [Student] will learn and demonstrate the following social skills: flexible thinking and compromising. [They] will reduce the frequency of shutting down behavior to two or fewer per month, as measured by teacher reports." Progress reports indicate that the student has had 0 incidents over three progress reporting periods, yet there is no evidence that the team revised the IEP to discuss continued need for this goal or to identify any other skill deficits that would be pertinent to address.

Conclusion:
Noncompliant. The evidence described violates IDEA's requirements for regular progress monitoring. Collecting meaningful data on student performance as it pertains to progress toward their IEP goals as written in the goal is required to assess student progress. The IEP should be revised as appropriate to address any lack of progress. Failure of a team to address a lack of progress through reconvening the team may lead to a denial of FAPE for a student. Further, the data reported should directly align to the progress monitoring data that is designated in the goal. It is unacceptable to include the same progress report statement in multiple goals as this does not adequately address the agreed-upon progress monitoring process in the goal.

Area #5: Least Restrictive Environment (LRE)

Citation:
§ 300.114 LRE requirements.

(a) General.

(1) Except as provided in § 300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§ 300.115 through 300.120.

(2) Each public agency must ensure that -

(i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and

(ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Evidence:
47 files contained noncompliance regarding a student's Least Restrictive Environment (LRE). The regulations require that the LEA ensures students are educated with peers in the general education setting to the maximum extent appropriate. The team is to only consider a more restrictive environment when a student's participation in a less restrictive setting cannot be achieved satisfactorily with the use of supplementary aids and services.

39 files inadequately justified a student's need for a more restrictive setting. Student #10's LRE justification states, "[Student] is significantly behind peers in reading, writing, math, daily living skills, social skills, occupational therapy, and speech and language and requires specially designed instruction in the areas of reading, writing, math, daily living skills, social skills, occupational therapy, and speech and language. In reading, [Student] knows all of letter sounds and is working to complete Objective 2: "After the teacher reads a word from a previously introduced list of high frequency words, [Student] will match the word the teacher reads to the written word (on a flashcard, list, etc.), in 4 out of 5 trials." is making steady progress. In writing, [Student] is easily able to dictate a sequence of events and then copy a scribed version of sentence. In math, [Student] is able to add and subtract up to 20 when using manipulatives, though [Student] still needs to count the result from 1 in every trial. In life skills, In social work, based on [Student's]self-reporting, observations, and conversations with family, [Student] continues to be unable to apply coping skills when [Student] is angry and being honest in situations where [Student] may be in trouble. In occupational therapy, [Student] is copying a three line cross in: 5/6 attempts. is cutting along a zig-zag line in 3/4 trials with 80 % accuracy. [Student] is able to recall 3 number sequence with 80% accuracy. When provided 4 numbers [Student] is able to complete with 55% accuracy. In speech and language, [Student] follows simple one step directions in 7/10 trials and no prompts, labels categories in 5/10 trials with no prompts, and identifies what doesn't belong in 7/10 trials with no prompts. has more difficulty comparing and contrasting, defining, describing and

using in a sentence (3-4/10 trials). The team determined that it would be appropriate for [Student] to receive specialized instruction in the special education classroom for academic, life skills, and related services. Supplementary aids and services are in place to allow [Student] maximum access to the general education curriculum. ESY services are not recommended at this time." Further, it should be noted that the student's specially designed instruction and related services indicate 3 hours and 10 minutes daily of instruction in the special education setting; however staff reported that this student spends "the majority of day" in the special education IDEAL classroom. This LRE justification is problematic in that it lacks any justification for removal from the general education setting and rather describes progress toward IEP goals. Additionally, based on staff report, the service minutes and LRE justification do not reflect the student's current special education programming.

Student #40's LRE justification states,"In order to gain the skills stipulated in [Student's] IEP, [Student] will be removed from the General Education setting to work on improving skills in Reading, Math, Pre-Vocational, Life Skills, Hearing Services, Vision and APE. The removal also includes any PT, OT, O&M, specialized instruction, progress monitoring, time with adult agencies, removal for testing and transition services." This statement lacks specificity and consideration of the support the student requires. Simply stating a student will be removed does not justify the removal.

An additional 12 files inadequately justify a student's need for a more restrictive setting due to their disability. Student #63's LRE justification states, "Due to [Student's] Cognitive Disability, requires specialized instruction designed to meet specific needs. This requires placement in a special education program for all academics in a separate classroom environment and related services of OT, Speech/Language Therapy, School Social Work services, and special transportation." Student #74's LRE justification states, "Based on [Student's] Other Health Impairment and unique medical needs, [Student] requires specially designed instruction provided in a separate class environment (IDEAL classroom). [Their] special dietary needs require guidance and support from the school nurse. [Student] requires services through the Speech/Language Pathologist to develop [their] communication skills. [Their] orthopedic needs require specific programming through Physical Therapy, Occupational Therapy, and Adaptive PE to further develop [their] gross and fine motor skills. [Student] also requires special transportation to and from school." These statements indicate the removal of a student based on their disability, and not the needs and ability to participate in the general education setting.

Student #67's IEP documents a student's removal from the general education setting and need for a shortened day based on a medical recommendation. A doctor's note from 2023 "indicated that due to [Student's] health and stamina as well as for reduction of stress, agitation and fatigue, [Student] should limit time spent at school to half days for education and special services." The file goes on to say "The case manager let Mom know that if we do not receive a doctor's note indicating that a shortened day is still required, we will have to discuss potentially increasing time at school, mom will meet with the doctor and bring an updated note in." Further, the LRE justification in the IEP states "[Student] needs supervision in all settings to transition to classes and to access alternative standards in the classroom. [Student] needs specialized instruction at functioning level of skill. [Student] is on a partial day schedule due to medical recommendations. Currently, all

of [Student's] services are provided outside of the general education environment. The team continues to agree that this is the least restrictive setting to best meet individualized needs." While it is important to take a student's medical needs into account, a shortened day and removal from a regular educational environment should be based on the student's needs rather than a recommendation from a medical practitioner. This IEP does not appropriately justify the student's placement and lacks specific evidence of how the student's needs cannot be met within the school setting.

An additional 6 files reveal concerns related to the consideration of a continuum of educational placements. Student #63 transitioned to kindergarten from a preschool program as a student with a cognitive disability. At the student's preschool/kindergarten transition meeting the student was placed on alternate assessment and was removed from the general educational environment for all Tier 1 instruction in reading, writing, and math. This is problematic as the student's educational placement was highly restrictive prior to entering kindergarten, without giving the exposure to grade level content and access to non disabled peers . The LRE statement indicated, "Due to [Student's] cognitive disability, requires specialized instruction designed to meet specific needs. This requires placement in a special education program for all pre-academics/academics in a separate classroom environment and related services of OT, Speech/language therapy, and special transportation." The full continuum of educational placements was not considered prior to the removal to a highly restrictive setting. An IEP developed by the team for Student #70 placed the student in a self-contained special education setting for 240 minutes daily for reading, writing, math, and daily living skills prior to entrance to the public school setting. The LRE justification states, "At this time, [Student's] disability results in performance that is substantially below grade-level achievement expectations even with the use of accommodations and modifications. proficiency levels are currently being measured against alternative academic achievement standards. [Student] requires alternative assessment to accurately assess skills with regard to rate of progress." This student received highly limited access to peers in the general education setting without proper justification. Student #70's placement and documentation indicate the full continuum of placements was not considered, nor did receive the opportunity to attempt participation in a less restrictive setting with access to non disabled peers. Additionally, this student's service minutes indicate conformity to program scheduling rather than the individual needs of the student.

Conclusion:
Noncompliant. These pieces of evidence reveal widespread LRE violations, including insufficient justifications for restrictive placements, a lack of consideration for necessary supports within the general education setting, and a focus on placement based on a student's disability or program participation over individual student needs. This, coupled with evidence of limited access to the general education environment and a lack of consideration for the full continuum of placements, demonstrates a systemic failure to prioritize inclusion and ensure that students with disabilities are educated in the least restrictive environment. .

Area #6: Extended School Year (ESY)

Citation:

§ 300.106 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; and

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

(2) Meet the standards of the SEA.

Evidence:

39 files raise concern regarding the provision of Extended School Year (ESY) services. Student #38's ESY consideration states, "At [student's] May 2024 IEP, the team determined that [Student] was not showing any regression in [their] academic goals and related services at the time, so ESY services were not needed." Student #64's ESY consideration states: "[Student] has maintained [their] skills over summer break and ESY services are not recommended at this time." However, the LRE statement mentions, "ESY services are recommended at this time." Student #44's consideration for ESY states, "ESY is not recommended for [Student] at this time. There is no data to support that [they] can't recoup academics after a natural school break." Student #57's consideration states, "At this time, the IEP team feels [Student] does not exhibit the need for Extended School Year services. District data indicates that when there are interruptions in [student's] educational programming, [Student] does not regress nor are there recoupment concerns or concerns with the rate of progress." In these cases, the only ESY consideration given was the degree of regression and the time necessary for recoupment.

Student #29's school day has been shortened to address concerns with behavior since October 2023. An amendment completed on 10/11/2023 states "[Student] has been exhibiting challenging behaviors that hinder [student's] educational progress. It is proposed to reduce the duration of the school day to alleviate [Student's] fatigue and enhance focus and participation." At that time the student's school day was shortened by two hours and ten minutes. On 8/20/24, the team amended the IEP to increase the school day by an hour. The student's school day was then extended again on 12/10/24, still ending the day ten minutes early to "limit the potential exposure and overstimulation of the larger population of students transitioning after school." Although this student's school day has been shortened since 2023 due to elevated concerns with behavior,

Student #29's ESY consideration states, "[Student] has not demonstrated academic skill regression after an extended absence from instruction." When asked what data the team considered when determining the need for ESY services, staff responded, "Data from academic IEP goals did not include any regression of still so it was determined that Student did not meet the requirements for ESY."

Further, two files documented concerns with ESY determinations that were made based on student attendance during the prior ESY offering rather than the student's documented needs. The PLAAFP for Student #21 states, "[Student] is a student who is recognized as having a Cognitive Disability. This has a profound effect on [student's] ability to access general education curriculum and [student's] participation in age appropriate activities. [Student] currently reads at a pre-kindergarten level which makes it very difficult for [Student] to engage with general education material in the 5th grade, even with support. [Student's] struggles with communication make it difficult for [student] to engage in imaginative play with peers, or state clearly what [student] would like to do during play. When discussing the need for ESY the student's IEP states, "The team did not propose ESY. [Student] did not attend last year." The team must consider all relevant factors when making an ESY determination, and that the determination is based on the student's needs rather than attendance at a prior ESY offering. Similarly, the PLAAFP for Student #19 documents that "[Student] struggles to interact with peers." Student #19's consideration for ESY states, "[Student] did not attend ESY last year. It was determined at the meeting that we do not have data to support ESY at this time. [Student] is making growth on [their] goals." When asked if the team considered the need for continued age appropriate social interactions during ESY, staff responded that, "It was reported that [Student] did not attend ESY last year. The team did not propose it this year."

Student #53's IEP indicates that the ESY determination was not based on the student's needs. The ESY consideration states, "...[Student's] academic skills are growing, but [student] is not able to access them the same as peers and requires specialized instruction in reading, writing, and math to ensure these skills continue to grow. In addition, [Student] has difficulty with following directions and transitioning to different locations. Both of these concerns impact [Student's] ability to access the school day as expected and require specialized instruction to teach these skills. Occupational therapy services are also proposed to address needs identified both in fine motor and sensory regulation." Although this explanation supports a need for continuous attention in various curricular areas, the team ultimately determined that the student did not require ESY services.

Conclusion:
Noncompliant. When considering the provision of ESY services for students,the LEA has failed to consider factors beyond a regression-recoupment analysis to determine the necessity of ESY services in multiple instances. In order to provide a FAPE, ESY determinations must be made on an individual basis considering a multitude of factors as outlined by the Tenth Circuit Court of Appeals. The regulations require that the LEA ensures ESY services are determined on an individual basis to ensure the provision of FAPE. Further, the Tenth Circuit Court of Appeals has ruled that a regression-recoupment analysis is not the only measure used to determine the necessity of ESY services. In so holding in the case of Johnson v. Independent School District No. 4 of Bixby, 17 IDELR 170 (10th Cir. 1990), cert. denied, 110 LRP 38025 (1991), the Tenth Circuit adopted a standard requiring a broad test for ESY eligibility determinations:

However, the regression-recoupment analysis is not the only measure used to determine the necessity of a structured summer program. In addition to the degree of regression and the time necessary for recoupment, courts have considered many factors important in their discussions of what constitutes an "appropriate" educational program under the [IDEA]. These include:

- The degree of impairment and the ability of the child's parents to provide the educational structure at home;
- The child's rate of progress;
- His or her behavioral and physical problems;
- The availability of alternative resources;
- The ability of the child to interact with non-handicapped children;
- The areas of the child's curriculum which need continuous attention;
- The child's vocational needs; and

Whether the requested service is "extraordinary" to the child's condition, as opposed to an integral part of a program for those with the child's condition.

Further, when making ESY determinations, a student's attendance at a previous ESY offering should not be utilized as a determinant factor.

Area #7: Comprehensive Evaluations

Citation:

§ 300.301 Initial evaluations.

(a) *General.* Each public agency must conduct a full and individual initial evaluation, in accordance with §§ 300.304 through 300.306, before the initial provision of special education and related services to a child with a disability under this part.

(b) *Request for initial evaluation.* Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) *Procedures for initial evaluation.* The initial evaluation—

(1)

(i) Must be conducted within 60 days of receiving parental consent for the evaluation; or

(ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; and

(2) Must consist of procedures—

(i) To determine if the child is a child with a disability under § 300.8; and

(ii) To determine the educational needs of the child.

§300.303 Reevaluations.

(a) General. A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with §§ 300.304 through 300.311 -

(1) If the public agency determines that the educational or related services needs, including

improved academic achievement and functional performance, of the child warrant a reevaluation; or

(2) If the child's parent or teacher requests a reevaluation.

(b) Limitation. A reevaluation conducted under paragraph (a) of this section -

(1) May occur not more than once a year, unless the parent and the public agency agree otherwise; and

(2) Must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary.

§ 300.304 Evaluation procedures.

(a) *Notice.* The public agency must provide notice to the parents of a child with a disability, in accordance with § 300.503, that describes any evaluation procedures the agency proposes to conduct.

(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);

§ 300.305 Additional requirements for evaluations and reevaluations.

(a) Review of existing evaluation data. As part of an initial evaluation (if appropriate) and as part of any reevaluation under this part, the IEP Team and other qualified professionals, as appropriate, must—

(1) Review existing evaluation data on the child, including—

(i) Evaluations and information provided by the parents of the child;

(ii) Current classroom-based, local, or State assessments, and classroom-based observations; and

(iii) Observations by teachers and related services providers; and

(2) On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine—

(i)

(A) Whether the child is a child with a disability, as defined in §300.8, and the educational needs of the child; or

(B) In case of a reevaluation of a child, whether the child continues to have such a disability, and the educational needs of the child;

(ii) The present levels of academic achievement and related developmental needs of the child;

(iii)

(A) Whether the child needs special education and related services; or

(B) In the case of a reevaluation of a child, whether the child continues to need special education and related services; and

(iv) Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.

Evidence:
39 files had evaluations that were either not comprehensive or raised concern regarding the evaluation process. 24 student evaluations depicted students lacking an evaluation in all areas of suspected need or concerns with data utilized to make an eligibility determination. Student #46 is serviced under the primary disability category of Specific Learning Disability (LD). During the reevaluation process, it was documented that the student has a diagnosis of ADHD. Further concerns were noted with this student's "short attention span", impulsivity, and ability to "control [them]self." During an observation the student was noted to be "on task 25% of the time during this observation, compared to a same gender peer who was on task 86% of the time." Despite this evidence, no documentation suggests the team considered the category of Other Health Impairment (HL). This oversight raises concern that the team is not adequately addressing student needs in all suspected areas. Similarly, despite acknowledging a confirmed diagnosis of ADHD for Student #25, the evaluation team did not consider the diagnoses and subsequent needs for this student during the evaluation process and IEP development. Student #16's report states that "the testing administrator believes that the results of the test are not accurate." This eliminates much of the evaluation data due to reliability of the evaluation and eligibility process, ultimately leading to a possible inaccurate eligibility determination.

Additional concerns lie with the planning of comprehensive evaluations. Ten files contain documentation to reveal consent being obtained for a reevaluation six months to a year in advance. Multiple files were found to obtain a consent for evaluation in a school year prior to the completion of the reevaluation and determination of eligibility. For example, the consent for evaluation for Student #52 was obtained on 2/8/2023 and the eligibility determination meeting was held on 1/29/2024. When asked if the team considered potential change in student need from the time consent for evaluation was received in February 2023 to the time the evaluation meeting took place in January 2024, staff responded, "After discussion with the previous team, the team did not consider." This indicates that all current student needs may not have been taken into consideration during the reevaluation process. The reevaluation for Student #36 raises concern regarding planning a comprehensive evaluation. Consent was obtained for a reevaluation on 8/17/23, with an eligibility meeting held on 2/6/2024 to determine continued eligibility under the category of Hearing Impairment (HI). Additional consent for evaluation was obtained on 10/22/24 "per request of the D/HH Teacher to better understand [Student's] hearing impairment needs." Despite a documented hearing impairment, these evaluations were not included in the reevaluation. There is a concern for misalignment with this student's disability category and the evaluation procedures based on the student's needs.

Conclusion:
Noncompliant. These findings indicate systemic noncompliance with IDEA's evaluation requirements, potentially leading to inaccurate eligibility, inappropriate service provision, and ultimately, a denial of FAPE for students with disabilities. Evaluations lacking evidence that the

teams are evaluating in all suspected areas leave room for inaccurate eligibility determinations and overall work toward supporting student progress toward the general curriculum. The LEA must continue working to streamline an evaluation and eligibility process in conformity with Federal regulations and state statutes. Further, there is concern that the evaluation plans are developed based upon a prescribed set of assessments rather than the current data and needs of the student.

Area #8: Not Addressing All Identified Needs

Citation:
§ 300.324 Development, review, and revision of IEP.

(a) Development of IEP -

(1) General. In developing each child's IEP, the IEP Team must consider -

(i) The strengths of the child;

(ii) The concerns of the parents for enhancing the education of their child;

(iii) The results of the initial or most recent evaluation of the child; and

(iv) The academic, developmental, and functional needs of the child.

Evidence:
20 IEPs boast concern regarding unaddressed needs. During the development of the IEP, the team utilizes the results of the initial or most recent evaluation of the child to inform the academic, developmental, and functional needs of the child. Student #72's evaluation identified a need in the area of articulation. The results from the "GFTA-3 resulted in a standard score of 50 on the Sounds-In-Words subtest with a percentile rank of <0.1, and a standard score of 76 on the Sounds-In-Sentences subtest with a percentile rank of 5. These scores suggest articulation skills fall within the moderately-severely delayed range of development when compared to same age [same gender] peers." When considering eligibility for special education and related services, the team did not consider a speech or language impairment, nor did the team address the student's needs with articulation in the IEP. There was no evidence of consideration of how the student's articulation impairment is impacting participation in educational opportunities throughout the school day. The IEP for Student #26 was developed to address written expression, math calculation, and anxiety.The evaluation and PLAAFP statement documented concerns regarding attention and focus; these needs were not addressed in the IEP. The Evaluation Report and Eligibility Determination for Student #31 dated 10/19/22 states, "A report from an outside evaluator indicated that [Student] also has Autism." There is no evidence that the team considered the results of that evaluation beyond that documented statement. The IEP dated 9/12/24 states the student has three significant medical diagnoses, yet the IEP lacks evidence of how those diagnoses impact the student's educational performance. There was no evidence of SDI, supplementary aids and services, or a seizure plan or health plan to support the student's health needs.

Additionally, Student #33 has been absent for 35 days during this school year and 63 absences during the 2023-2024 school year. Aside from requesting a doctor's note from the the team has not made satisfactory efforts to address the attendance concerns.

Student #56's LRE Statement reads, "Due to academic skill deficits in the area of mathematics as documented through previous evaluation and state assessment data, the TEAM concurs, [Student] is not able to be educated in the general education environment full time… therefore requires direct specialized instruction in the special education setting to address executive functioning (organization of materials, completion of assigned tasks/submit tasks, and self-advocacy)." Despite documented needs in math, the student's IEP only addresses needs pertaining to executive functioning skills.

Student #40's IEP reveals concern with an unmet need pertaining to Orientation and Mobility. The IEP dated 10/16/2024 includes an Orientation and Mobility report that states, "[Student] can make [their] wants and needs known either by sign or an iPad. [They] can navigate the web to search for preferred media. [Student] knows what an exit sign and stop sign are and can point them out when requested. Prepare a simple recipe with assistance and shop with assistance for preferred items." Yet, the goal that is being addressed for Orientation and Mobility states, "Given a can crusher and human support, [Student] will crush up to 20 cans during 3 out of 5 sessions." It is unclear how this goal supports the student's needs pertaining to Orientation and Mobility as well as educational impact relevance.

Student #15 has an unmet need in the area of math. At the most recent reevaluation dated 2/15/2024, the team determined that Student #15 qualifies for special education as a student with a Specific Learning Disability in the area of math reasoning. In the IEP, developed on the same date, the team documented in the PLAAFP, "After team discussion, it was determined that while [Student] continues to demonstrate a need for specialized instruction as a student with a Specific Learning Disability in the area of Math Reasoning, [Student] is currently demonstrating success with limited specialized instruction support, however [Student] is implementing and benefiting from an accommodation that allows [them] access to the support of a paraeducator in math class. Furthermore, [Student] is in last 13 weeks of Problem Solving. Once [Student] successfully passes this semester, [Student] will have met diploma requirement of 3 full credits in the content area of math. Therefore the team determined [Student] no longer requires direct specialized instruction to address math skill deficits." A special education teacher report in the PLAAFP also states, "[Student] has been signed up for ES with me but has not ever come to class when assigned. I could help [Student] with [their] Problem solving skills if [Student] would make it to ES with me. [Student] does have access to paraeducator support during Problem Solving and [Student] reports that [they] utilizes the support regularly." A student's continued need for SDI is not to be determined based on meeting diploma requirements. Rather, a need for SDI should be based on skill deficits and documented need for SDI. It is unclear how the team was able to determine a continued specific learning disability in the area of math reasoning yet develop an IEP that indicates no need for SDI in the area of math. The PLAAFP clearly documents a need for SDI in the area of math as the student relies on the "support of a paraeducator" to complete math assignments. Further, the PLAAFP documents an unmet need with attendance as the student is not attending the assigned ES class period with the special educator.

Conclusion:
Noncompliant. Student files reveal a systemic failure particularly regarding the identification and provision of services aligned with students' documented needs. Despite evaluations clearly

identifying areas such as articulation delays, autism, math reasoning deficits, medical conditions, and attendance concerns, IEP teams repeatedly failed to develop corresponding goals, supports, or services to address these critical needs. These needs are not consistently addressed through the services outlined in students' IEPs. An IEP developed to meet the unique needs of the student is the method for ensuring the student is receiving FAPE and educational benefit in light of their unique circumstances.

Area #9: Parent Participation

Citation:
§ 300.322 Parent participation.

(a) Public agency responsibility—general. Each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including—

(1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and

(2) Scheduling the meeting at a mutually agreed on time and place.

****

(c) Other methods to ensure parent participation. If neither parent can attend an IEP Team meeting, the public agency must use other methods to ensure parent participation, including individual or conference telephone calls, consistent with §300.328 (related to alternative means of meeting participation).

(d) Conducting an IEP Team meeting without a parent in attendance. A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the public agency must keep a record of its attempts to arrange a mutually agreed on time and place, such as—

(1) Detailed records of telephone calls made or attempted and the results of those calls;

(2) Copies of correspondence sent to the parents and any responses received; and

(3) Detailed records of visits made to the parent’s home or place of employment and the results of those visits.

§ 300.9 Consent.

Consent means that—

(a) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or through another mode of communication;

(b) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom;

§ 300.304 Evaluation procedures.

(a) *Notice.* The public agency must provide notice to the parents of a child with a disability, in accordance with § 300.503, that describes any evaluation procedures the agency proposes to conduct.

Evidence:
17 files noted noncompliant parent participation by failing to provide adequate notice of the proposed evaluation procedures. The Prior Written Notice and Consent for Evaluation for Student #23 dated 04/08/2024 states, “Upon review of records, it may be found that some of the above assessments may not be necessary and, therefore, will not be completed." It goes on to state that “It was explained that [Student’s] comprehensive re-evaluation will be completed in the next school year, 2024-2025, before the due date of 3.21.2025. The 60-day timeline that applies to initial evaluations does not apply to re-evaluations." It is impossible to provide informed consent to a parent with the statement above as the child’s needs may change over the course of a school year, which would ultimately change the evaluation process for that student. The Prior Written Notice and Consent for Evaluation for Student #2 states, “The team may determine that additional assessments are warranted depending on the assessment results and a review of other educational records during the comprehensive educational evaluation. Upon reviewing educational records, the team may also determine that there is enough information to make an informed, data-driven eligibility determination. As a result, some of the assessments proposed may not need to be administered.” This raises concern that the evaluation was not planned by the team to include the parent. When planning a comprehensive evaluation, the student’s current needs and referral questions should be central to the design and planning of a comprehensive evaluation. The Prior Written Notice and Consent for Evaluation for Student #45 indicates that Fremont 25 will complete other assessments “as deemed necessary” during the evaluation process. This statement does not provide the parent full knowledge of the assessments proposed to be administered to their child. When asked what other assessments were administered to the child, staff responded that the statement was included “in case we are in evaluations and the data suggest testing in another area."

Another concern was noted regarding the involvement of parents in the evaluation process. The evaluation report for Student #43 states, "The report was not returned by the family." When parent input is missing from evaluations this does not ensure that a complete picture of the student is developed. An Annual IEP meeting for Student #38 was held by Fremont 25 without parent participation. While Fremont 25 did make attempts to contact the parent on the date of the meeting, the parent did not attend in person or virtually. Rather than rescheduling the meeting to provide the parent an opportunity to participate, the IEP meeting was held without the parent. A text message was sent to the parent indicating, “We are going to start without you. Please don't hesitate to log in if you can.” Of further concern, a decision to move the student to a modified/certificate track was made at the IEP meeting without parent input. Staff indicated that “The WY-Alt Participation Checklist was sent home via email and in student backpack. It was never signed or sent back.”

Conclusion:
Noncompliant. Parent participation in the evaluation and IEP development process is critical. It is the responsibility of Fremont 25 to provide informed consent for a parent prior to a proposed action.

Failure to fully describe the proposed evaluation procedures does not allow a parent to be fully informed prior to their decision to consent. Additionally, multiple attempts should be made throughout the evaluation process to obtain parent input in order to fully understand the child's needs across settings. Further, a parent must be provided the opportunity to participate in the development of the IEP. This may require that the meeting is rescheduled to provide the parent with the opportunity to participate.

Area #10: Inclusion

Citation:

§ 34 CFR 200.6(a)(2)(i) Inclusion of all Students.

(a) Students with disabilities in general.

(2)

(i) Except as provided in paragraph (a)(2)(ii)(B) of this section, a student with a disability under paragraph (a)(1) of this section must be assessed with an assessment aligned with the challenging State academic standards for the grade in which the student is enrolled.

(ii) A student with the most significant cognitive disabilities under paragraph (a)(1)(ii) of this section may be assessed with—

(A) The general assessment under paragraph (a)(2)(i) of this section; or

(B) If a State has adopted alternate academic achievement standards permitted under section 1111(b)(1)(E) of the Act for students with the most significant cognitive disabilities, an alternate assessment under paragraph (c) of this section aligned with the challenging State academic content standards for the grade in which the student is enrolled and the State's alternate academic achievement standards.

§ 34 CFR 300.320(a)(4) Definition of an individualized education program.

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child -

(i) To advance appropriately toward attaining the annual goals;

(ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and

Evidence:

13 files revealed noncompliance pertaining to participation in and assessment of the general education curriculum. 12 student files document that the students are participating in a modified curriculum and alternate standards, but the students are being assessed on the WYTOPP general assessment. This is problematic as these students are not receiving grade level instruction on the standards for which they are being assessed. For example, Student #64 is receiving a modified curriculum in all subject areas and graded on a pass/fail basis. Per the IEP, this student is expected

to receive a certificate of completion upon exiting high school. District staff indicated that “[They] are not participating in the WY-ALT because of a directive from our last Special Education Director to stay in compliance with being below the 1% cap for WY-ALT participation.” A student’s specially designed instruction and assessment of knowledge must be based on their needs documented in the PLAAFP.

Conclusion:
Noncompliant. The student’s IEP documents the extent to which they are involved in and make progress toward the general education curriculum. If a student’s disability is so severe that they must participate in alternate achievement standards, the assessment of student knowledge should be conducted via an alternate assessment. Assessing a student on the general assessment (WYTOPP) but not providing instruction pertaining to grade level standards assessed ultimately leads to a denial of FAPE.

Individual Findings of Noncompliance

Student	Findings
Student #13	This student has a diagnosis of Autism. During the reevaluation in April 2024, the team only considered a Specific Learning Disability. A comprehensive reevaluation must be completed within 75 business days of this letter to consider all areas of suspected disability.
Student #27	Consent for evaluation indicated that additional assessment was needed in the areas of academic performance, communication skills, general intelligence, adaptive behavior, assistive technology, health, vision, motor skills (fine and gross), and hearing. This testing was not completed as consented by the parent. This student requires a new evaluation to be completed within 75 business days of this letter.
Student #36	The statement of Supplementary Aids and Services includes “Interpreter or Teacher of the Deaf provides communication support (signing) in general/special education throughout the academic school day to include specials to aid in comprehension and communication,” “As Needed by Staff” “Throughout the academic day". If signing is a required component of the student’s communication system, this should not be made available “as needed” by the teacher, but rather be available at all times per the need of *the student.* The district must ensure this student is receiving the appropriate services regarding these needs no later than the first day of the upcoming 2025-2026 school year.
Student #50	The team needs to reconvene to consider all areas of suspected disability, including speech/language impairment and cognitive disability. This must take place within 75 business days of this letter.
Student #65	A reevaluation is necessary to consider all areas of suspected disability within 75 business days of this letter. Although the student did not have a documented diagnosis from a licensed physician in the previous 12 months, an educational diagnosis from a qualified school psychologist is permitted or the district may pay for the student to get the medical diagnosis. This must be considered in the reevaluation.

Please note that 75 business days from this letter is September 22, 2025.

The LEA has 30 days from the date of this letter to dispute in writing to John Balow, Special Education Programs Director, any areas of noncompliance by providing written documentation for review. Per the Office of Special Education Program’s (OSEP) 23-01 Memo, the LEA has one year from the date of this letter to correct all noncompliance. It is the goal of the WDE that this letter and the implementation of the ensuing Compliance Agreement (CA) will guide the district as it seeks to improve its system-wide delivery of special education services.

Thank you for your collaboration with the monitoring team and continued commitment to improving outcomes for children with disabilities. If you have any questions concerning this report, please contact Sheila Thomalla at sheila.thomalla2@wyo.gov.

Sincerely,

Sheila Thomalla
Monitoring Team Supervisor

cc: Jody Ibach, Superintendent, Fremont County School District #25
John Balow, Special Education Programs Director, WDE