WDE
Opportunity Through Education

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Individuals with Disabilities Education Act
Results Driven Accountability
Verification Monitoring Report
for
Laramie County School District #1

Monitoring Dates: October 2, 2024 - December 20, 2024
Report Date: March 26, 2025

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

TO: Stacey Kern, Director of Special Services
Laramie County School District #1

FROM: Sheila Thomalla, Monitoring Team Supervisor

SUBJECT: Results Driven Accountability Verification Monitoring Report

REVIEW DATE: October 2, 2024 - December 20, 2024

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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 a verification monitoring of Laramie County School District #1 (Laramie1).

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 verification monitoring of Laramie 1.

District Selection

During the 2021-2022 school year, Laramie1 was selected for Results Driven Accountability (RDA) Monitoring. Laramie1 had previously been determined to be in "Needs Assistance" for the 2020-2021 school year.

The initial monitoring, conducted from January 20, 2022, to March 25, 2022, found Laramie1 noncompliant in areas of Extended School Year (ESY) services and Educational Benefit. A Corrective Action Plan (CAP) was implemented on May 6, 2022, with the Local Education Agency (LEA) agreeing to work towards systemic improvements and address these findings.

A verification monitoring was conducted by the WDE from April 10, 2023, to June 2, 2023. This verification found the LEA out of compliance in 12 systemic areas, leading to a compliance agreement implemented on August 31, 2024.

The most recent verification commenced on October 2, 2024. Monitoring activities included file reviews, on-site observations, interviews, and a review of documentation submitted by Laramie1 to the WDE. The initial file review sample comprised 120 students. 40 students were selected for Least Restrictive Environment (LRE) reviews, and 80 were selected for Free Appropriate Public Education (FAPE) reviews. 39 files were removed from the sample and not reviewed. 81 files were reviewed. Interview questions regarding the file reviews were electronically sent to and returned by the Laramie1 Director of Special Services. On-site observations were conducted over five days across 20 school buildings within the school district, encompassing general education settings, resource settings, self-contained settings, and various other times such as lunch, recess, and hallway transitions. All documentation provided to the WDE was thoroughly reviewed. All monitoring activities were concluded on December 20, 2024.

The WDE found the district in compliance for 18 students, and out of compliance for 63 files. The following is a detailed explanation of systemic findings.

Systemic Findings

Area #1: 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:
This review found that 16 student files contained evidence of unaddressed identified needs, a violation of federal regulations requiring consideration of all "academic, developmental, and functional needs of the child" (34 CFR 300.324(a)). Three files lacked support for reading difficulties, three for attention and focus issues, and one for Student #6, classified as Other Health Impaired (HL), whose eligibility was based on "limited alertness adversely affecting educational performance." Despite acknowledging Student #6's difficulty attending during large group instruction, the IEP team's response – citing "academic goals and accommodations" – inadequately addressed the core issue of "limited alertness." Furthermore, while significant concerns regarding attention and focus were documented in the PLAAFP statement and evaluation, these crucial needs were not addressed in the IEP. Student #15's IEP also failed to include accommodations for sensory needs clearly identified in their evaluation.

Nine student files indicate a lack of Social/Emotional/Behavioral needs being addressed. Three of these nine students attend . Student #67's LRE justification and previous Individual Education Programs (IEPs) noted a need for counseling; however, no counseling services were on the IEP. This student is now noted to have dropped out of school. Student #21 was noted to be absent 63% of the time. This student, now in High School, has had attendance concerns since Elementary School with no improvement. Aside from calling the parent and the parent noting they will work on a plan to get them to school, the team has not made significant efforts to address the attendance concerns.

Student #60 has "Academic Instruction" for 60 minutes, one time per day on their IEP; however, they have no academic goals. A question was asked about what Specially Designed Instruction (SDI) is taking place during this time, but Laramie 1 did not provide a response. It is unclear what needs are being targeted for this student.

Conclusion:
Noncompliant. Student files reveal a systemic failure to adequately address identified student needs across various domains, including academic, functional, social-emotional, and behavioral. 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. It is imperative that an IEP be utilized to address all needs identified for a student.

Area #2: 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:
10 Present Levels of Functional and Academic Performance (PLAAFP) statements were found out of compliance. Two PLAAFP statements contained significant portions that had been copied and pasted from another document in the file. Seven statements lack the identification of current skills. PLAAFP statements composed of data primarily from evaluations that are two years old or more do not describe current levels, and therefore make it impossible for the team to compose an IEP that meets the student's current needs. Student #75 has a PLAAFP statement that does not address how the student's disability affects their involvement and progress. Student #1's PLAAFP statement has portions copied and pasted as well as mentioning another student multiple times. Further, the PLAAFPs do not adequately describe how the student's disability impacts their education.

Conclusion:
The LEA continues to produce noncompliant PLAAFP statements. The PLAAFP statement is meant to 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. For the PLAAFP statement to be repeated or copied from other documentation displays a lack of intentionality in the development of the IEP. 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 #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;

Evidence:
28 files contain goals that do not meet the minimum requirements of the Federal regulations. IDEA requires that measurable annual goals 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. Three files contained goals that were repeated from a previous IEP. It is crucial that IEPs change meaningfully to ensure the student is progressing toward the general education curriculum. Five files contained goals that align directly with a program or have a generic "grade level" statement as the student's target. Student #32 has multiple goals written to FastBridge, for example, their math goal states, "By January 26, 2025 [Student] will improve in overall Math Skills as measured by FastBridge aMath Assessment." Not only is this goal written for the student's achievement in a particular program as opposed to a measurable target designed to

support the student, it is not written for a specific skill. This does not allow for transferable measurability and therefore adequate reporting of progress.

12 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 #41 has a goal that states, “By 1/22/2025, [Student], using visual cues and adult prompts, will identify and interpret emotions to begin to prevent emotional outbursts. 8/10 opportunities as documented by [Student’s] IEP team. Currently it can take [Student] days to debrief emotional outbursts.” “..begin to prevent emotional outbursts” is a subjective statement and “8/10 opportunities as documented by the IEP team/” lacks specificity making this goal unmeasurable. Student #44 has a goal that states “By March 12, 2025, [Student] will learn about and generalize social skills in a group setting in 3 out of 5 observations made by teachers and or social worker.“ Learning about skill and “generalizing” a skill are completely separate skillsets. The terms “generalize”, “group setting” and “3 out of 5 observations” are not clearly defined in a way that would allow accurate progress to be measured and reported.

Eight students have goals that do not address skills and therefore cannot be adequately measured for progress toward addressing identified student needs. Student #78 has a goal that states, “By April 2025, [Student] will be able to keep passing grades in [their] Core Curriculum classes in order to be on track for graduation in May 202 .” To “keep passing grades” 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.

Conclusion:
Noncompliant. The development of measurable annual goals continues to be out of compliance with the Federal regulations. § 300.320(a)(2) requires goals be written to support the student in progressing toward the general education curriculum. The areas of concern for the district include: repeated goals from previous IEPs, program-specific or generic goals, unmeasurable goals, and goals that did not address specific skills. If a student's goal is being repeated because they did not meet it, the team should consider reexamining the needs of the student and develop a plan to adequately target the skill deficits. The lack of addressing skills in a goal makes it extremely challenging to develop a plan that enables the child to be involved in and make progress toward the general curriculum while meeting their individualized needs (§300.320(a)(2)(i)(A)). 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: Special Education and Related Service Delivery

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;

Evidence:
Of the 81 files reviewed, no concerns were noted.

Conclusion:
The district demonstrates compliance regarding the specification of service delivery location.

Area #5: 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;

Evidence:
21 files have noncompliance pertaining to supplementary aids and services. 20 files have inadequate descriptions of frequency, duration, and location. Student #18 has an accommodation of "Increased positive reinforcement" “daily” in the general education classroom. This does not describe what support the student is getting and under what circumstances they need it nor does it explain what positive reinforcement looks like for the student. Student #42 statements of supplementary aids and services use terms such as "Everyday in all classes." This is vague and does not describe the frequency, duration, and location of services the student requires to be successful. Student #49 has an accommodation listed "breaks as needed to assist with 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. Student #75 had a similar statement about having breaks as needed.

Student #26's IEP indicates no Supplementary Aids and Services are provided. However, the student's PLAAFP statement states that "When needed, [Student] gets directions read to [them]. [They] get repeated directions." This discrepancy raises concerns regarding the accuracy of the IEP. Clear documentation of all accommodations provided is crucial to ensure that the student receives the necessary support to access their education effectively.

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 #6: 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:
Six files have concerns regarding progress monitoring and reporting. Three files were missing at least one progress report without other documentation of the student’s progress in the file. Student #49 has a study skills goal that states, “By 5/02/2025, [Student] will increase [their] independent use of strategies for executive functions and attention to academic tasks to 7 out of 10 trials. Monitored by case manager and/or service provider.” However, progress reported in October of 2024 states, “[Student] is currently being taught executive functioning skills. [Student] has learned planning and our class just started talking about organization. [Student] understands the skill of planning and when asked to create a calendar and keep a planner [Student] was able to do. [Student] has completed all of [their] assignments and turned them in for this quarter. [Student] currently has two B's and three A's.” This progress report does not align with the methods described in the goal nor does it give data about how the student is currently performing as it relates to skills in the goal. Two additional files have progress that does not align with the goal. Student #57 has a goal that states

progress will be monitored via rubric score. However, the progress report goes on to contain Lexile data.

Conclusion:
Noncompliant. While Laramie1 has made great strides to improve practices around progress monitoring and reporting, there remain issues with ensuring student progress is adequately reported to parents. The discrepancies described violate IDEA's requirements under § 300.324(b) for regular IEP reviews and updates, as well as § 300.320(a)(3)(ii), which mandates that progress be reported based on measurable goals and methods stated in the IEP. These failures indicate a systemic issue in adhering to IDEA's standards for progress monitoring and reporting. Collecting meaningful data on student performance as it pertains to progress toward their IEP goals is crucial in the team's decision-making progress to continue supporting this student's access and progress in the general education curriculum. Further, the data reported should directly align to the progress monitoring data that is designated in the goal. It is unacceptable to include such data as assignments completed, Fastbridge scores, or grades as evidence in the progress monitoring if that is not the agreed-upon progress monitoring process in the goal.

Area #7: 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:
29 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 (§ 300.114(a)(2)). 25 files inadequately justified a student's need for a more restrictive setting. Student #42's LRE justification statement notes, "Due to the nature of disability [Student] requires small group sizes, smaller peer groups and the support of the ADT to be satisfactorily educated and receive FAPE." This student's IEP does not appropriately justify the student's placement by demonstrating what supplementary aids and services were not sufficient to support the student remaining in a highly

restrictive setting. Student #58's LRE justification statement includes, "The special education team has taken careful consideration of [Student's] qualifying disability justifying the removal from the regular education environment in need of receiving individualized instruction in an intensive environment." This statement indicates the removal of a student based on their disability, and not the needs and ability to participate in the general education setting. Lastly, Student #86's file states, "Due to the nature of [their] disability [Student] requires small group instruction, small peer group and the support of the ADT staff and program to meet [their] academic, social and emotional needs. [Student] will be removed from regular education to complete transition planning." This statement lacks specificity and consideration of the support the student requires. Simply stating a student will be removed does not justify the removal. Two files reviewed from have LRE justification statements that are nearly identical. This does not indicate the IEP was crafted to meet the individual needs of the student. Both statements end with "... Services missed due to [Student] absences, school and district testing windows, school closures, and school activities, such as assemblies, field trips, field days or other all-inclusive activities, will not be made up." This statement violates the rights of the child to receive services based on their needs; whereas this statement is written to seemingly accommodate school scheduling. Furthermore, many LRE justification statements use the verbiage "due to the nature and severity of the student's disability" without providing specific evidence of how the student's needs cannot be met in the general education classroom with appropriate support.

Two files were identified to contain students attending all "accommodated classes." Student #46 has four services listed under Special Education services (math, language arts, reading and science) for 50 minutes, 5 times a week in "ACM". The student's LRE justification states "[Student] will be in the general education classroom 28% of [the] school day." This student is getting highly limited access to peers in the general education setting without proper justification. For students to be in "Accommodated Classes" does not indicate individualization to the needs of the student in various areas, but rather to make them better fit into the school's schedule. Student #83 is "zooming into gen ed classes when able to" from a highly restrictive setting. Student #61's placement and documentation indicate the full continuum of placements was not considered. This student's service minutes are written to be 51 minutes, indicating conformity to class 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 program or scheduling needs 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 possible as required by IDEA (34 CFR §300.114).

Area #8: Post-Secondary Transition Planning

Citation:
§ 300.320 Definition of individualized education program
(b)Transition services. Beginning not later than the first IEP to be in effect when the child turns

16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include -

(1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

(2) The transition services (including courses of study) needed to assist the child in reaching those goals.

Evidence:
15 files in the WDE's review contained post-secondary transition plans. Two of these files contain noncompliance. Student #4 has no goal for post-secondary education and training. Student #78's transition plan course of study states "elective" in the grid.

Conclusion:
Noncompliant. While the district has made noticeable efforts to improve student transition plans, Laramie1 continues to produce inadequate transition plans. The regulations state goals must be "related to training, education, employment, and, where appropriate, independent living skills;" The key word being *and*. For a student to only have career/employment addressed in their plan is not in conformity with the Federal requirements. Further, the use of the term "elective" in a course of study is not specific enough to adequately portray the course(s) the student is taking. These deficiencies in transition planning may ultimately hinder students' success in achieving their post-secondary goals and limit their opportunities for independent living.

Area #9: Behavior, Removals and Restraints

Citation:
§ 300.530 Authority of school personnel.

(a) Case-by-case determination. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a child with a disability who violates a code of student conduct.

(b) General.

(1) School personnel under this section may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under § 300.536).

(2) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under paragraph (d) of this section.

* * * * * * *

(d) Services.

(1) A child with a disability who is removed from the child's current placement pursuant to paragraphs (c), or (g) of this section must -

(i) Continue to receive educational services, as provided in § 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and

(ii) Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

(2) The services required by paragraph (d)(1), (d)(3), (d)(4), and (d)(5) of this section may be provided in an interim alternative educational setting.

(3) A public agency is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.

(4) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement under § 300.536, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed, as provided in § 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

(5) If the removal is a change of placement under § 300.536, the child's IEP Team determines appropriate services under paragraph (d)(1) of this section.

(e) Manifestation determination.

(1) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP Team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations,and any relevant information provided by the parents to determine -

(i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

(ii) If the conduct in question was the direct result of the LEA's failure to implement the IEP.

(2) The conduct must be determined to be a manifestation of the child's disability if the LEA, the parent, and relevant members of the child's IEP Team determine that a condition in either paragraph (e)(1)(i) or (1)(ii) of this section was met.

(3) If the LEA, the parent, and relevant members of the child's IEP Team determine the condition described in paragraph (e)(1)(ii) of this section was met, the LEA must take immediate steps to remedy those deficiencies.

(f) Determination that behavior was a manifestation. If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must -

(1) Either -

(i) Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or

(ii) If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and

(2) Except as provided in paragraph (g) of this section, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

Wyoming Statute §21-2-202(a)(xxxii) and W.S. §21-3-110(a)(xxxi) - Chapter 42 Section 3.

(c) Mandatory Documentation. Schools shall complete the mandatory documentation for all use of Restraint and Isolation Room seclusion.

(i) Incident Report: At a minimum, the incident report shall include:

(A) Antecedents, interventions, and other relevant factors;
(B) Description of the regulated intervention used;
(C) Time and duration of the seclusion;
(D) Student's response to the seclusion;
(E) Administrative Review, if necessary;
(F) Release or reentry factors;
(G) Injuries to the student, if any;
(H) Debriefing.

(ii) The district shall provide to the parents copies of all mandatory documentation according to the parent notification procedure developed by the school.

(d) Parent Notification. The school shall develop a parent notification procedure that includes, at a minimum, written notification within 24 hours, or other timeframe as agreed upon by the school or parent, of using a regulated procedure. Notification shall be complete upon mailing, personal deliver, or electronic transmission of the notice.

Evidence:

The review identified five student files where Behavior Intervention Plans (BIPs) were either missing entirely or not updated, despite evidence of significant behavioral needs within those students' IEPs. Student #5 had five out-of-school suspensions and 21 days absence noted in their file with no updated behavior plan to address these concerns. Student #19 has time on their service grid for 60 minutes outside of the general education classroom for behavior. However, this student's only social/emotional/behavior-related goal is to address staying in their seat. The goal states, "By October 2025, [Student] will be able to remain in [their] pre-established designated area (at - desk, on the rug, etc.) and meet [their] expectations with 60% based on weekly observations by the case manager and the classroom teacher. BASELINE: During 30 minutes, [Student] needed 14 reminders to stay seated at [their] desk." Based on the needs identified in this student's IEP this goal being the sole area of addressing behavioral needs is not satisfactory.

In addition to file reviews, the WDE conducted onsite observations. During these observations, five individual students were seen being restrained by staff members. These restraints were highly concerning. The WDE staff submitted these observations immediately to the Special Services Director of Laramie1. Copies of the school reports and documentation of the incidents were requested as well as a copy of the school district's policies regarding removals and restraints. Laramie1 responded to the WDE with all available requested documents. The district also completed its own internal investigation into these events and submitted its determinations to the WDE. The district uses the MANDT system for student crisis events.

Conclusion:
Noncompliant. Students with behavior needs require SDI to develop the necessary skills. BIPs are crucial for students whose behavior impedes their learning or that of others, to provide skill development, necessary support, and interventions while preventing the use of exclusionary disciplinary practices. For students to be missing a BIP altogether or lacking an updated BIP to align with their current needs is out of compliance with Federal regulations. The instances of student restraint during onsite observations did not align with IEP requirements and violated the district's own MANDT protocol. Staff utilized inappropriate restraint techniques. These findings, coupled with the district's acknowledgment of non-compliance in its responses, strongly suggest systemic noncompliance with 34 CFR §300.530, including inadequate training, insufficient IEP development, and a lack of adherence to appropriate restraint procedures. Further, upon review of the district's Restraint and Seclusion policy, it does not contain the required documentation procedures and parental notification components outlined by Wyoming Department of Education Chapter 42. The district shall develop a new policy that aligns with Chapter 42.

Area #10: 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.

(d) *Exception.* The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if—

(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under § 300.8.

(e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

§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);

Evidence:

Nine pieces of evidence of noncompliance were found regarding student evaluations. Three files indicate incomplete team participation in the evaluation process Primarily, there is concern because in all three files, the missing information is from the parent.

Four student evaluations raise concern regarding students not being evaluated for all areas of suspected need. Student #8 is serviced under the primary disability category of Speech or Language Impairment for Articulation. This student was solely evaluated for articulation. This student has services on their IEP for reading, math, and speech. Additionally, this student has accommodations listed for a reader and scribe. It is unclear how this student’s disability warrants the need for these additional services without evaluative data indicating these needs are related to the student’s disability. The student’s PLAAFP also only addresses articulation. There is a concern for misalignment with this student's disability category and the evaluation procedures based on the

student's apparent needs. Student #86's report states the reports should be interpreted with "caution" due to variability in scores. This eliminates the majority of evaluation data to be reliable in the evaluation and eligibility process. This oversight poses the risk of the team not adequately evaluating in all suspected areas.

Student #22 was evaluated in May of 202 and was not found to be eligible for special education services. Documentation present in the file is not clear to indicate how the student ended up being made eligible to receive services. The district was asked about this case and did not provide a response.

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. When parent input is missing from evaluations this does not ensure that a complete picture of the student is developed. Parental participation in the eligibility and overall IEP development process is critical. 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.

Area #11: Services

Citation: § 300.320 Definition of 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

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

Evidence:
The review of 81 files did not reveal any evidence of systemic noncompliance.

Conclusion:
The LEA has demonstrated excellent improvement in correctly documenting specially designed instruction on IEPs.

Individual Findings of Noncompliance

Student	Findings
Student #15	This student's evaluation documentation has several gaps that may be impeding this student's offering of FAPE. A single rater on the BASC-3, unmet sensory and social needs, and lack of clarity on the certification of staff involved in the evaluation (potentially no special education teacher involved). A new evaluation is to be completed within 45 days of this letter.
Student #22	This student was found ineligible for special education services in May of 2023 and then began receiving services under an IEP. A new evaluation is to be completed within 45 days of this letter.
Student #42	This student's file had noncompliance identified in five areas. Lack of addressing all identified needs, Measurable Annual Goals, Supplementary Aids and Services, Least Restrictive Environment, and Behavior (no BIP in place despite strong concerns). This student's IEP does not currently portray a program individually and intentionally designed to meet their needs. A new IEP addressing the areas of noncompliance is to be developed within 45 days from the date of this letter.
Student #71	A reevaluation is necessary. This student requires a new evaluation to be completed within 45 days of this letter.

Commendations

Laramie County School District #1 is making progress toward compliance. 22% of the files reviewed were compliant. The LEA was quick to participate and respond to all communication throughout the monitoring process. The Director of Special Services has made noticeable efforts to work collaboratively with the WDE as documents and other items have been requested without notice. Before the completion of this monitoring process, the district has taken the initiative to investigate and address areas of deficiency. From the previous verification monitoring, the district has cleared two areas of noncompliance and has made great improvements in several others. Laramie1 is taking noticeable steps toward compliance and therefore improving overall outcomes for students with disabilities in the state of Wyoming.

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: Dr. Stephen Newton, Superintendent, Laramie County School District #1
John Balow, Special Education Programs Director, WDE