



Opportunity Through Education

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**Individuals with Disabilities Education Act  
Results Driven Accountability  
Monitoring Report  
for  
Converse County School District #2**

**Monitoring Dates: April 25-28, 2022  
Report Date: June 14, 2022**

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



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**TO:** Pennie Caldwell, Special Education Director  
Converse County School District #2

**FROM:** Sheila Thomalla, Monitoring Team Supervisor

**SUBJECT:** Special Education Results Driven Accountability Monitoring Results

**REVIEW DATE:** April 25-28, 2022

**REPORT DATE:** June 14, 2022

### **Introduction**

The Individuals with Disabilities Act (IDEA) Part B Regulations include the following provision:  
*The State must monitor the implementation of this part, enforce this part in accordance with §300.604(a)(JJ and (a)(3), (b)(2)(1) and (b)(2)(v), and (c)(2), and annually report on performance under this part. The primary focus of the State's monitoring activities must be on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities [C.F.R. §300.600].*

In accordance with these regulations, the ultimate goal of the Wyoming Department of Education's (WDE) monitoring process is to promote systems change which will positively influence educational results and functional outcomes for students with disabilities.

### **District Selection**

During the 2019-2020 school year, Converse County School District #2 (Converse 2) was selected for Results Driven Accountability (RDA) Monitoring, using the seven-criterion selection formula.

- (1) Indicator 3C: WY-TOPP Reading proficiency rates for students with disabilities who took the regular assessment.*
- (2) Indicator 3C: WY-TOPP Math proficiency rates for students with disabilities who took the regular assessment.*
- (3) WY-TOPP Student Growth Percentiles (SGP): The average Reading SGP for students with disabilities who took the regular assessment.*
- (4) WY-TOPP Student Growth Percentiles (SGP): The average Math SGP for students with disabilities who took the regular assessment.*
- (5) Indicator 5: the percent of students in the regular environment at least 80 percent of the time.*
- (6) Reading Gap Analysis: The difference in WY-TOPP Reading proficiency rates between students with disabilities and students without disabilities*

*(7) Math Gap Analysis: The difference in WY-TOPP Math proficiency rates between students with disabilities and students without disabilities.*

Converse County School District 2 (Converse 2) was found to fall into the *Needs Assistance* determination level for the 2018-2019 school year. The Data-Drill Down completed December 5, 2019 as part of the RDA monitoring process was used to determine hypotheses and a sample for review.

The WDE and the Converse 2 teams elected to monitor a sample of special education records in compliance with Part B regulations governing the following areas:

- a. Provision of Free and Appropriate Public Education (FAPE)
- b. Least Restrictive Environment (LRE)

The original monitoring sample consisted of 94 students. The first sample included 27 students in grades 5-11 who had been identified for special education under the categories of specific learning disability, other health impairment, or emotional disability, who were not getting extended school year (ESY) services. The second sample consisted of 29 students whose LRE was identified as the resource room.

At that time, Converse 2 was found to be noncompliant in 4 areas:

1. Evaluation Procedures particularly using Response to Intervention (RTI) to qualify students without a district developed RTI process.
2. Extended School Year particularly lack of individualized evidence of consideration
3. IEP, in particular regarding supplemental aids and services
4. Goals, in particular regarding lack of progress and missing target behavior.

A Corrective Action Plan (CAP) went into effect July 29, 2021. The school district had one year to complete the agreed upon action steps to remediate noncompliance, ensure changed practices to maintain IDEA compliance in the future, and improve outcomes for students with disabilities. Current verification process does not duplicate the findings of noncompliance prior to initial review and focuses on corrections subsequent to that review. A verification monitoring of Converse 2 was completed April 25-28, 2022. During this process, WDE reviewed 40 total student files for FAPE and 14 total student IEPs for ESY. 13 student files were included in the LRE sample, however these IEPs were not reviewed as Converse 2 did not have an initial compliance finding in this area.

Listed below are the results of the student file reviews. Information is provided in four categories: commendations, systemic findings of noncompliance, individual findings of noncompliance, and program recommendations. Individual and systemic findings of noncompliance will require some form of compliance agreement.

**Commendations:** The WDE would like to commend you on the diligent and change - focused steps taken to correct systemic and procedural issues. It is apparent that Converse 2 has put forth a great deal of effort to realign special education processes and procedures, both those identified through monitoring and those recommended. Converse 2 has taken the initiative to continually work toward solutions and the betterment of programs for students with disabilities.

## Systemic Findings of Noncompliance

### Area 1: Evaluation/Eligibility §300.304 Evaluation Procedures:

Wyoming Chapter 7 Special Education Rules outline a Response to Intervention (RTI) process for the qualification of students with a specific learning disability. Initial monitoring review found that a RTI process was used to determine eligibility for special education services in Converse 2 without a district policy being in place.

*Verification monitoring finds that Converse County School District #2 cleared in this finding area and is now demonstrating compliance.* The district has developed a RTI process as required in order to determine eligibility and need for special education through RTI. WDE has reviewed these documents for compliance.

### Area 2: ESY § 300.106

§300.106 requires Extended School Year services to be determined on an individual basis in order to ensure the provision of FAPE with no limitations on type, amount, or duration of services. Initial monitoring review found a lack of consistent, detailed documentation making it difficult to determine if IEP teams were considering individual student needs when making the determination for ESY, what skills were being targeted, and what special education or related services were being provided. Also of concern was the possibility of unilaterally limiting the type, amount, or duration of services.

*Verification monitoring finds Converse County School District #2 to have cleared in this finding area and are now demonstrating compliance.* WDE has reviewed amendments made to student IEPs submitted by the district during the CAP process and IEPs available during student review. Evidence indicates that ESY decisions are being made individually.

### Area 3: IEP § 300.320(a)(4)

§300.320(a)(4) describes the requirement for a statement of supplementary aids and services.

Initial monitoring review found evidence that supplementary aids and services were not being adequately reflected on the IEP, especially when referencing paraprofessional support in the PLAAFP or other supporting documentation.

*Verification monitoring finds this aspect of documentation of supplementary aids and services to be remedied.* WDE has reviewed amendments made to IEPs submitted by the district during the CAP process as well as IEPs available during student file review. Evidence indicates that support during general education is properly documented.

*However,* WDE does find an inconsistency between documented needed accommodations in the PLAAFP and accommodations documented in supplementary aids and services. While this is not found to be out of compliance, it may create a situation in which those team members responsible for implementing documented accommodations may not be made aware of the requirements, depending on how the district disseminates the IEP information to general education teachers and other team members. WDE suggests that Converse 2 review their policies to ensure proper notification of required supplementary aids and services and responsibilities.

#### Area 4: Goals § 300.320

§300.324(b)(1)(i)-(ii) indicates IEP teams must review the IEP at least annually to determine whether goals are being achieved and steps to be taken if the student is not making progress. §300.320(a)(2)(i) indicates that IEPs must include a statement of measurable annual goals. §300.39(b)(3) defines specially designed instruction as the adaptation of content, methodology or delivery of instruction to address the unique needs of the child in order to ensure access of the child to the general curriculum and make progress on standards.

Initial monitoring review found evidence in some student IEPs of no meaningful change in goals from year to year regardless of progress, as well as goals that did not specifically identify the targeted behavior or skills to be measured.

***Verification monitoring finds the development of goals to remain an area of concern.*** The purpose of an IEP goal is to allow the IEP team to address a student's specific area of need leading to lack of progress in the general education curriculum. Therefore, specific skill needs must be identified and targeted in both baselines and goals. Goals need to pass the "stranger test" in implementation and progress monitoring. Lack of alignment between baseline and target occurs when the skill or method of measure does not match. While goals do not need to detail every step toward the targeted skill, vague or immeasurable goals may result in a denial of FAPE. Goals should not be the grade level standard, but provide skills for the student to move toward that standard. This makes it difficult to accurately measure progress. Writing goals to grade level expectations, either academically or functionally, calls the specially designed instruction and individualization into question. §300.39(b)(3) requires specially designed instruction to address the unique needs of the student in order to ensure access to the general curriculum and make progress toward standards, not the standard itself.

28 student IEPs were found to have goals in which targets and baselines are not aligned in skill or method of measurement. 34 goals were found to not be skill specific and/or contained multiple targets. Examples include:

- The student IEP for WISER [REDACTED] contains reading, math, and writing goals in which the baselines report scores on most recent classroom assessment, but do not report data related to the skills being targeted in the goals. These academic targets are skill specific however, even though the reading goal contains multiple targets. The behavior goal also has an unrelated baseline and multiple targets; counseling goal is similar with subjective measurability. Specially designed instruction is apparent, measurability may be difficult.
- The student IEP for WISER [REDACTED] contains goals which lack evidence of specially designed instruction to support behavior changes; it is unclear what is being taught to the student to bring about the desired goals of on task behavior, non disruption, and attending of classes.
- The IEP for student with WISER [REDACTED] demonstrates several instances of noncompliance:
  - This student's IEP contains a commonly found reading goal. The baseline data reports a reading level range. The level is also reported in reference to a specific reading curriculum which is uninterpretable to those not familiar with the program. Specific programs should not be included in IEP goals. In addition, this is an example of a reading goal containing a target of general reading comprehension versus the targeting of a specific skill deficit causing the broad reading comprehension problem for this student.

- The writing goal also lacks alignment between the baseline and the target. Baselines need to report on the same skill being measured in the target in order to demonstrate growth. This goal does not contain a specific skill for this student and does not contain an objective method of measurement.
- The behavior goal contains highly subjective statements in the baseline and the data does not match the target. This target does demonstrate specially designed instruction and is measurable, however.
- The student IEP with WISER [REDACTED] demonstrates targets unique to the needs of the student; however the baseline data does not match the targeted skills.
- The student IEP with WISER [REDACTED] contains articulation and language goals in which the baseline data is inconsistent with the target.
- The student IEP with WISER [REDACTED] contains a skill specific math goal, but is lacking baseline alignment, a reading goal targeting broad reading comprehension at grade level lacking specific skill deficit, and a writing goal with multiple targets not aligned to the baseline. OT and speech goals are highly specific targets, but again do not align with the baseline.

**Individual Findings of Noncompliance:** All initial individual findings were cleared within the 30 day time requirement. No new individual findings are found.

**Recommendations:**

- WDE recommends developing procedures to ensure all necessary accommodations have been communicated to the staff who are responsible for the implementation of such accommodations.
- WDE recommends that teams continue to develop PLAAFP statements which clearly identify specific skill deficits and needs of each student in order to ensure a clear link to goals and services.

If you have any questions concerning this report, please contact Sheila Thomalla at [sheila.thomalla2@wyo.gov](mailto:sheila.thomalla2@wyo.gov).

cc: Coley Shadrick, Superintendent, Converse County School District #2  
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