



Opportunity Through Education

Jillian Balow – Superintendent of Public Instruction

Wyoming Department of Education  
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June 17, 2021

██████████  
Director of Special Education and Student Support Services  
Converse County School District #2  
120 Boxelder Trail  
Glenrock, WY 82637

Dear ██████████:

The Wyoming Department of Education (WDE) Special Education Programs team would like to thank you for your assistance during your recent Results Driven Accountability (RDA) monitoring.

With respect to the monitoring process, the state's federal requirements are to focus upon and address the areas of compliance within IDEA 2004 [34 C.F.R. §300.600] that most directly affect educational results and functional outcomes for children with disabilities. That focus is consistent with the mission of Converse #2, to provide quality educational experiences for all students. Therefore, it is the WDE's goal that this report and the implementation of the ensuing Corrective Action Plan (CAP) will guide the district as it seeks to improve its own system-wide delivery of special education services. The findings of noncompliance detailed in the report will require systems level procedural considerations, as the systemic findings are not directly linked to individual students, teachers, or groups of students. Correction of these deeper issues will require a more global approach and requires the cooperation of special education and general education staff, building leadership, and district administration. To that end, the WDE would like to offer technical assistance to Converse #2 in understanding the report and developing the required CAP.

Again, thank you for your collaboration with the monitoring team and for your continued commitment to children with disabilities. We look forward to working with you and your team over the next twelve months as this Corrective Action Plan is put into effect.

Sincerely,

Sheila Thomalla  
Monitoring Team Supervisor

C: ██████████, Superintendent  
Margee Robertson, Director of Special Education, WDE  
Susan Shipley, Special Education Systems Administrator, WDE

Enclosures



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

**Monitoring Dates: March 1, 2021-April 6, 2021  
Report Date: June 17, 2021**

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

## **Introduction**

The Individuals with Disabilities Act (IDEA) Part B Regulations include the following provision:

*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).*
  - (b) The primary focus of the State's monitoring activities must be on—*
    1. *Improving educational results and functional outcomes for all children with disabilities; and (2) Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities. [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 that will positively influence educational results and functional outcomes for students with disabilities.

## **District Selection**

During the 2019-20 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.*

The district was found to fall into the Needs Assistance determination level for the 2018-19 year. The Data-Drill down completed on December 5, 2019 as part of the RDA monitoring process was used to determine hypotheses and sample for review.

The WDE conducted the monitoring of a sample of special education students in Converse #2 regarding 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.

Listed below are the results of the file reviews and staff interviews. They are 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 corrective action.

**Commendations-**The WDE would like to commend you on the level of preparedness, engagement, and participation of your staff during this process. Prior written notices, consents, and other records were easy to find and your record system was consistent across the district. The level of leadership and commitment to serve students was evident in our interactions. In addition, it was evident that Converse #2 is embracing the opportunity for improvement and is open to feedback.

**Findings of Noncompliance**

<p><b>Area 1: Evaluation/Eligibility</b> Citation: § 300.304 Evaluation procedures.</p>	<p>Four files reviewed indicated that the district is using Response To Intervention (RTI) to qualify students with a specific learning disability; however, the district does not have a RTI policy, WY Ch 7, Section 10 (c)(i)(A).</p>
<p><b>Area 2: ESY</b> Citation: §300.106</p>	<p><b>Findings:</b> Review of Converse #2 files indicated that four IEPs list Friday ESY as a service. For instance, one file listed Friday Math ESY for 60 minutes and another indicated Friday ESY for classroom management. Lack of consistent, detailed documentation made it difficult to determine if IEP teams were considering individual student needs when making the determination for ESY, the necessity of ESY to provide FAPE, and what targeted skills, special education or related services were being provided during this time. Additionally, the evidence reviewed suggests that Friday ESY as a service is provided to students at the same time, day, and duration, which suggests that the district may be unilaterally limiting the type, amount or</p>

	duration of the services, rather than basing those decisions on students' needs.
<p><b>Area 3: IEP</b> Citation: §300.320(a)(4)</p>	<p><b>Findings:</b> Three files reviewed did not reflect the supplementary aids and services the student was receiving. Evidence in present levels or other supporting documentation indicated the student was receiving support from paraprofessionals. In these IEPs, no paraprofessional support was listed as a supplementary aid and service and no indication was found within the PWN documenting access to a general education paraprofessional.</p>
<p><b>Area 4: Goals</b> Citation: §300.320</p>	<p><b>Findings:</b> In two instances, there was no meaningful change in the goal from year to year, whether the student was making or not making progress. 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. [§300.324(b)(1)(i)-(ii)] Additionally, four files included IEP goals that did not specifically identify the targeted behavior or skills to be measured. [§300.320, 34 C.F.R. §300.39(a)(3)].</p>
<p><b>Individual Noncompliance</b></p>	<p>WISER ID ██████████ Through the file review and interview, the file was found to be out of compliance: According to the Prior Written Notice (PWN) dated August 8, 2020 BOCES V provided comparable services and completed eligibility determination. File review found no evidence of Converse #2 Teacher or staff member participation in the eligibility determination process. Although BOCES V can complete an evaluation, BOCES V cannot determine special education eligibility as it is not the student's LEA. Procedurally, when students are placed out of the district, including court or residential placements, the district retains responsibility for development of a compliant IEP. Evidence from review of the file indicates that the district did not ensure compliance during the development of the out-of-district IEP.</p> <p>The district should reconvene and assure comprehensive evaluation and eligibility determination have been completed with the district's input and then develop a current and</p>

	<p>appropriate IEP. The team should then make a placement decision based upon that IEP.</p> <p><b>Teams have 30 days from the receipt of this report to correct or develop a plan to bring these findings into correction.</b></p>
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- **Program Recommendations (optional action steps based on WDE reviews)**
  - The WDE recommends that if Converse #2 uses any type of screeners to identify suspected needs, that information is included in the comprehensive evaluation. That information being included in the comprehensive evaluation will provide evidence that the MDT has considered those suspected needs.
  - Converse #2 does offer different placement and support options, like co-taught classes, paraeducator support, resource room, and life skills. It is recommended that the district develop a consistent practice for documenting justification of continuum of placement, options considered, and why they were accepted or rejected by the IEP team.
  - Converse #2 may consider revising the procedure for documenting educational needs within an IEP. Files reviewed did not always accurately reflect the link between educational evaluation, present levels of performance, goals or supplementary aids and services. A district-wide policy or procedure may help refine the IEP documentation to ensure this alignment.
  - Converse #2 may consider revising the procedure for documenting educational needs when IEP progress is questioned. Files reviewed did not always accurately document teams' responses to progress or lack thereof. A district-wide policy or procedure may help refine the IEP documentation to ensure this alignment.