

TO: [REDACTED], Special Education Director
Natrona County School District #1

FROM: Margee Robertson, Director of Special Education Programs

SUBJECT: Special Education Results Driven Accountability Monitoring

REVIEW DATE: September 14-21, 2020

REPORT DATE: November 18, 2020

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 2017-18 school year, Natrona County School District #1 was selected for Results Driven Accountability (RDA) On-Site Monitoring, using the seven-criterion selection formula. The seven criteria include WY-TOPP reading and math proficiency and student growth, LRE data, and a reading and math gap analysis. The district was found to fall into the Needs Assistance determination level. The Data-Drill down completed as part of the on-site monitoring process was used to determine hypotheses and a sample for review.

The WDE conducted the monitoring of a sample of special education records in NCSD #1 in compliance with Part B regulations governing the following areas:

- a. Provision of Free and Appropriate Public Education (FAPE)
- b. Extended School Year Services (ESY)
- c. Least restrictive environment (LRE)

The monitoring sample for FAPE consisted of 56 students who had a disability category of a learning disability who scored below proficient on both the English language arts (ELA) and math WY-TOPP tests in Spring of 2019. Thirty students from the FAPE sample who were in grades 9-12 who were not receiving ESY were also reviewed. Finally, an additional 40 students who had a disability category of autism or emotional disability that were not placed in the regular education environment, court-placed parentally placed in a private school or in a separate facility were reviewed to determine appropriate justification of the LRE. A breakdown to stratify grade bands was included as follows: 10 students from K-2, 10 students from 3-5, 10 from 6-8, and 10 from grades 9-12. A total of seventy-eight (78) files were reviewed.

Listed below are the results of the file reviews and staff interviews. They are provided in four categories: commendations, individual findings of noncompliance, systemic 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 first recognize the level of preparedness and professionalism of your staff during our monitoring. In addition, Natrona County School District has focused resources on developing Professional Learning Communities throughout the district which included special educators. This practice allows students with disabilities to be recognized and more inclusively supported. We would encourage this practice to continue and even be expanded. An additional area for commendation is that ESY services are consistently being offered throughout the school year, not just as a summer option, which suggests that student progress is being monitored and considered throughout the year. Finally, a high level of commitment to the students was evident in our interactions with the staff.

Findings of Noncompliance

Individual Findings of Noncompliance	Student [REDACTED] is an out of district placement. The current IEP only addresses social emotional needs and does not address any academic needs related to the student's disability. The reviewer
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	<p>was unable to determine how the IEP was addressing the educational needs of the student. The IEP did not contain evidence of ongoing progress monitoring to assure the student was making adequate progress. WDE requires the district to conduct a review of the IEP and provide evidence the student's educational needs are being met as well as his social emotional/behavioral needs within 30 days of this report.</p>
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<p>Area 1: Evaluation/Eligibility Citation: § 300.304 Evaluation procedures.</p>	<p>Findings:</p> <p>In the review of student files it was found that comprehensive evaluations were not conducted in all cases. In some instances, the evaluation did not address all areas of suspected concern and in others all areas of concern uncovered during the evaluation process were not addressed as a means for gathering data to support instructional planning or eligibility determination. In several files when a specific learning disability was suspected the only assessments completed were for cognitive ability and academic achievement. Even in instances when the team had evidence of concerns around attendance and social/emotional development, no further assessments were used to assure all underlying needs had been identified. In these cases the IEPs may not have been reasonably calculated to meet all suspected areas of need.</p> <p>Files indicated students were receiving specially designed instruction without data to support the need for specially designed instruction. Tier 3 interventions should be offered by general education prior to adding special education services.</p> <p>The files reviewed indicated a lack of high quality observations being used as a component of comprehensive evaluations. Observations were not consistently completed in the child's learning environment, which is the expected practice according to § 300.310(a). In some cases observations were conducted during standardized testing. Appropriate observations within the learning environment are necessary for a part of the comprehensive evaluation and for a reasonable calculation for determination for FAPE.</p>
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Area 2: IEP Goals
Citation: §300.320

The file reviews indicated a lack of data to determine a trajectory for the IEP goals or progress during the progress monitoring phase that was student-specific. All goals should contain baseline data that is measurable and specific to the target that is reflected in the PLAAFP. The goals reviewed did not give enough information to describe specific skills or the differentiated instruction that is occurring.

Targets were frequently not adequately defined or measurable. A common achievement point, such as 80% accuracy was applied to many skill sets even if this target was not an appropriate measure for the skill. Additionally, in two files, goals were repeated across years without change.

It was also difficult to determine if students were making adequate progress. In certain instances, progress would be reported as adequate, but narrative data would indicate that a child was not participating or was struggling. The district is reminded that progress monitoring is a checkpoint to assure the FAPE offering is adequate to enable the student to make progress appropriate in light of the child's circumstances. Appropriate data collection, trend analysis and determination of adequate progress should be included for each goal across a progress reporting period.

There were also instances of a student having objectives identified in the IEP, however, the progress monitoring did not address the objective areas. The district is reminded that objectives are specific skill sets that build upon each other to assist the student in meeting the goal and are used as benchmarks. Those objectives should have start and end dates that project a progress trajectory and not all have the same start and end date.

In instances where a student had not made adequate progress, the file did not show evidence of the IEP team reconvening to address the lack of progress. In eight files, the student's progress on one or more goals left the reviewer questioning progress and lack of team response.

<p>Area 3: Least Restrictive Environment (LRE) Citation: §300.114</p>	<p>Through a review of files, many LRE justifications indicated that because a student had qualified as a student with a particular disability, he or she was in need of a particular placement. It appears that eligibility determination drives placement determination. In addition, the less restrictive environment continuum from least to more restrictive is not documented within the IEP or other team documents. Current documentation indicates teams are not adequately documenting the transition processes from determined placement into less restrictive environments. The transition of students along the continuum should be adequately reflected within IEP documentation and discussion about LRE should also be documented. For instance, during interviews buildings housing more restrictive programs indicated that teams consider LRE placement using formal and informal meetings and that students are able to transition into less restrictive environments when ready. Documentation within the files reviewed did not support these statements.</p>
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- **Recommendations** – The WDE believes that it would be beneficial for the Natrona County School District #1 Special Education to develop a stronger Special Education teaming process within all buildings to assure a consistent process of the application of the district policies. It was clear through all activities of the monitoring, that Natrona #1 has developed policies and procedures to assure a consistent application of Chapter 7 and IDEA within the district. However, through interviews and file reviews, it became evident that not all schools and/or staff were applying those policies in the way that the special education administrative staff had intended.
- Second, the district may consider amplifying the post-secondary transition activities. Currently these activities are not specific to individual students and goals are based on achieving general outcomes.

If you have any questions concerning this report, please contact Sheila Thomalla at sheila.thomalla2@wyo.gov .

cc: [REDACTED] Superintendent, NCSD #1
Shelley Hamel, Chief Academic Officer, WDE