

**COMPLAINT INVESTIGATION  
WASHOE COUNTY SCHOOL DISTRICT  
(#WA022723)  
Report Issued  
on April 21, 2023**

**INTRODUCTION**

On February 27, 2023, the Nevada Superintendent of Public Instruction received a State Complaint from a Parent<sup>1</sup> alleging violations of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et. seq.; 34 C.F.R. Part 300, and Nevada Administrative Code (NAC), Chapter 388, by Washoe County School District (WCSD) in a student's special education program. The allegation in the Complaint was that in January 2023 WCSD failed to provide the student a Free Appropriate Public Education due to a failure to identify a school for the student to attend and receive the services in the student's Individualized Education Program (IEP). The Parent indicated that WCSD informed the Parent on January 23, 2023 that there was not a placement/location available for the student. The Parent's proposed resolution was for WCSD to find a classroom in either a public or private setting to implement the student's IEP; stop creating waiting lists; and receive training on how to build capacity; and implement IEPs so students can make meaningful progress.

In the March 10, 2023 issue letter to WCSD, NDE requested additional documents and information in order to investigate the State Complaint. WCSD was notified in that same correspondence that if WCSD disputed the allegations of noncompliance in the Complaint, the submitted documents and information must include a denial of the alleged noncompliance; a brief statement of the factual basis for the denial; reference to the provided documentation that factually supported the denial; and that a failure to do so by March 28, 2023 or an extended timeline authorized by Nevada Department of Education (NDE), would be considered a concession of noncompliance for purposes of this State Complaint.

WCSD did timely respond with well-organized documents relevant to the issue in the State Complaint and acknowledged that there had been a delay in the provision of a Free Appropriate Public Education when the Parent called for placement in January 2023. WCSD argued in the response to the State Complaint that the Parent's previous refusal of the WCSD placement of the student in November 2022 and the failure of the Parent to accept the recent March 21, 2023 offered placement obviated the duty of the WCSD to provide the student a Free Appropriate Public Education and compensatory education/services.

The State Complaint, WCSD's response and supplemental responses, including all relevant documents submitted by WCSD in response to the issue in the Complaint, were reviewed and considered in their entirety in the investigation of this Complaint. The Findings of Fact cite the source of the information determined necessary to resolve the issue in this Complaint and the original source document, where available, was relied upon.

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<sup>1</sup> It is noted that this same Parent filed a State Complaint, #WA052022, in the 2021/2022 school year with regard to the availability of a placement for the student in WCSD. In relevant part, NDE determined in #WA052022, that WCSD complied with the IDEA and NAC, Chapter 388, and provided the student a Free Appropriate Public Education, specifically with regard to the availability of a placement to implement the student's IEP from April 1, 2022 to May 19, 2022, had the student enrolled in WCSD. The Findings of Fact in State Complaint #WA052022 with regard to the relevant history of the student's enrollment and attendance in WCSD are relied upon and cited in this Complaint Report.

## COMPLAINT ISSUE

The allegation in the Complaint that is under the jurisdiction of NDE to investigate through the special education complaint process raises the following issue for investigation:

### Issue:

Whether WCSD complied with the IDEA and NAC, Chapter 388, and provided the student a Free Appropriate Public Education, specifically with regard to the identification of a location in January 2023 to implement the student's IEP in the designated placement.

## FINDINGS OF FACT

1. The student<sup>2</sup> is a student with a disability of preschool age under IDEA Part B and NAC, Chapter 388, and will remain so until November 2023. (Complaint, October 29, 2020 IEP)
2. The student's last IEP in effect in WCSD was an October 29, 2020 IEP. At that time, the student's area of priority educational need was pre-academic skills and the student's specially designed instruction was specialized instruction in pre-academic. The student's IEP Team determined that the student did not require Extended School Year services. The student's Parent agreed with the student's initial IEP and signed consent for the initial provision of special education services and related services to the student. (Complaint, October 29, 2020 IEP, October 24, 2022 Prior Written Notice)
3. The student's October 29, 2020 IEP provided the following services: 550 minutes weekly of the specially designed instruction of specialized instruction in pre-academic; 180 minutes monthly of the direct related service of speech/language; transportation for two hours per day, four days a week; and supplementary aids and services in the areas of pre-academic and communication skills and assistive technology. Except for the related service of transportation, the location for all of the student's services was in a special education class with no percentage of time in the regular education environment. (October 29, 2020 IEP)
4. In the school year prior to the school year at issue, the student was enrolled and withdrawn from WCSD various times:
  - a. The Parent enrolled the student in WCSD for the 2021/2022 school year and the student attended the Early Childhood Special Education Pre-K Program at the student's zoned school on the first day of school, August 9, 2021. After attending the zoned school for five school days, the Parent withdrew the student and enrolled the student in a virtual school in WCSD.
  - b. The student did not, however, attend the virtual school or any school in WCSD until November 15, 2021, when the Parent enrolled the student again at the zoned school.
  - c. On December 8, 2021, after approximately 15 school days, the Parent again withdrew the student from school, notifying WCSD that the Parent did not want the student to attend school at that time.

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<sup>2</sup> Dates related to the student's birthdate or other personal characteristics/information that would make it possible to identify the child with reasonable certainty have been deleted. 34 C.F.R. §300.32.

- d. After the Parent withdrew the student on December 8, 2021, the Parent did not enroll the student again at any time for the duration of the 2021/2022 school year.
  - e. The Parent did, however, contact WCSD March 23, 2022 inquiring about a variance for the student to attend an early childhood program at a specific out-of-zone school. WCSD made a placement available for the student on April 1, 2022 at the student's zoned preschool program, but the Parent did not enroll the student. (Student Enrollment History, #WA052022)
5. The first day for students in WCSD in the 2022/2023 school year was August 15, 2022 and the last day of school for students is June 14, 2023. (2022/2023 WCSD Balanced Calendar)
6. The student did not return to school in the WCSD at the commencement of the 2022/2023 school year. On September 15, 2022, WCSD contacted the student's Parent and the Parent informed WCSD that the family had decided not to enroll the student in WCSD. WCSD sent the Parent a Prior Written Notice on October 24, 2022 proposing to implement the student's IEP upon re-enrollment. (WCSD Special Ed Contact Log, October 24, 2022 Prior Written Notice)
7. On November 14, 2022, the Parent contacted WCSD and indicated the Parent now would like the student to attend school. WCSD offered the student a placement at the student's early childhood zoned program. (WCSD Special Ed Contact Log, November 28, 2022 Prior Written Notice)
8. On November 15, 2022, the Parent informed WCSD that the Parent did not want the student to go to the offered early childhood zoned program and wanted the student to remain on the wait list until something else opened. WCSD sent the Parent a Prior Written Notice on November 28, 2022 in response to the Parent's refusal of WCSD's offer of placement. (WCSD Special Ed Contact Log, November 28, 2022 Prior Written Notice)
9. On January 12, 2023, the Parent contacted WCSD again to ask if there were any openings for the student to attend school and asked if the student would be able to go to a different kind of early childhood program than previously offered. WCSD informed the Parent that there was not a preschool program available at that time. (WCSD Special Ed Contact Log, WCSD Response)
10. During Spring break, on March 21, 2023, WCSD called the Parent and informed the Parent that a placement was available for the student at the student's early childhood zoned program and, upon enrollment, the student could commence attendance on the first school day after Spring break. The Parent indicated that she would need to speak with her advocate since she was unsure whether she would be accepting this program location. (WCSD March 23, 2023 Letter to Parent, WCSD March 24, 2023 Email Communication)
11. On March 24, 2023, WCSD confirmed the March 21, 2023 verbal offer to place the student at the student's early childhood zoned program commencing April 3, 2023 in writing. In the written offer of placement, WCSD acknowledged that compensatory services to the student were warranted due to the delay in offering a program to the student from the time of the Parent's January 12, 2023 request for placement and the availability of a placement. (WCSD March 23, 2023 Letter to Parent, March 24, 2023 Nevada Parental Prior Notice)
12. WCSD offered the following compensatory services to the student upon the student's enrollment and attendance: 540 minutes of speech and language therapy (the equivalent of 180 minutes of

speech and language therapy for three full months) and nine weeks of 1245 minutes of specialized academic instruction weekly in the amount of 186.75 hours. WCSD requested the Parent notify WCSD if the Parent was interested in the identified placement and offer of compensatory services, indicating that WCSD would work with the Parent on the delivery of the compensatory services. (WCSD March 23, 2023 Letter to Parent, March 24, 2023 Nevada Parental Prior Notice)

13. Given the last agreed upon IEP was an October 2020 IEP, WCSD also informed the Parent that upon the enrollment and attendance of the student, WCSD would implement this last agreed upon IEP, update the student data, and the student's IEP Team, including the Parent, would reconvene to update the student's present levels of performance and develop the student's annual IEP. (March 24, 2023 Nevada Parental Prior Notices, WCSD March 24, 2023 Email Communication)
14. As of April 18, 2023, the Parent had not enrolled the student in WCSD or responded to WCSD's multiple notices of the offer of placement for the student and compensatory education/services. On April 19, 2023, the Parent responded to WCSD's April 11, 2023 follow-up email communication and informed WCSD that, since it was so late into the school year, the Parent had decided to wait to have the student go to school until the beginning of the 2023/2024 school year. The Parent inquired as to what school the student should be enrolled in for kindergarten next school year. The Parent did not respond to WCSD's offer of compensatory education/services in this communication. (Review of Record, WCSD March 24, 2023 Parental Prior Notice, April 11, 2023 Email Communications to Parent, April 19, 2023 Parent Email Communication)
15. There were 41 school days (the equivalent of three school months and approximately nine school weeks) from January 12, 2023, the day the Parent contacted WCSD indicating the Parent would like the student to attend school in WCSD, to the first day of school after the date WCSD offered the student a placement March 21, 2023. (2022/2023 WCSD Balanced Calendar, Email Communications, Student Enrollment History, WCSD Response)
16. Related to the issue in this State Complaint, during a recent special on-site monitoring conducted by NDE of WCSD's preschool Child Find system, NDE determined, and WCSD concurred, that there was, and continues to be, a systemic failure to timely place all preschool-aged students with a disability in accordance with their IEPs. NDE issued an Order of Corrective Action to address this systemic failure. (March 2023 WCSD IDEA Part B Preschool Special Monitoring - Order of Corrective Action)

## CONCLUSIONS OF LAW

Children with disabilities aged three through five years of age in the State of Nevada have a right to a Free Appropriate Public Education under IDEA Part B, Section 619. 20 U.S.C. §1419, 34 C.F.R. §§300.101, 300.800 et seq. The requirements of the provision of a Free Appropriate Public Education to students with disabilities under the IDEA and the NAC, Chapter 388, necessitate that special education and related services and supplemental aids and services are provided in conformity with an IEP. 34 C.F.R. §§300.17(d), 300.101; NAC §388.281(6)(e); *Capistrano Unified Sch. Dist. v. Wartenberg*, 59 F.3d 884 (9th Cir. 1995); *Van Duyn v. Baker School Dist.*, 502 F. 3d 811 (9th Cir. 2007).<sup>3</sup> In accordance with IDEA and NAC, Chapter 388, this requirement would necessitate special education and related services be made "available"

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<sup>3</sup> The State of Nevada is in the United States Court of Appeals, Ninth Circuit

to each student in accordance with the student's IEP. 34 C.F.R. §§300.101, 300.323(c); NAC §388.281(6)(e).

The young student in this case had a complicated enrollment history with WCSD in school years 2021/2022 and 2022/2023. In school year 2021/2022, there were multiple enrollments and withdrawals of the student by the Parent and a request for placement late in the school year, with a resultant offer of placement that was not accepted by the Parent. (Finding of Fact (FOF) #4) In the 2022/2023 school year, the Parent elected not to enroll the student in WCSD at the commencement of the 2022/2023 school year, but requested the placement of the student on November 14, 2022, just two months before the relevant time period at issue in this State Complaint. (FOFs #6, #7) WCSD promptly offered the student a placement at the student's early childhood zoned program. (FOF #8) On November 15, 2022, the Parent rejected the offered placement and opted to have the student remain on a waiting list until something else opened. While the Parent may have preferred the student attend an alternative preschool program in WCSD other than the student's zoned school in November 2022, WCSD did make a placement available to the student on November 14, 2022 in accordance with the IDEA, 34 C.F.R. §§300.17(d), 300.101.

On January 12, 2023, the Parent once again contacted WCSD and inquired about an opening for the student to attend school. At the time of the Parent's inquiry, WCSD did not have a preschool placement available for the student. (FOF # 9) However, on March 21, 2023, WCSD notified the Parent that a placement was available for the student at the student's closest zoned school and, upon enrollment, the student could commence attendance the next school day, April 3, 2023. (FOFs #10, #11)

In addition to WCSD's March 21, 2023 offer of placement, WCSD acknowledged that compensatory services to the student were warranted due to the delay in offering a program to the student from the time of the Parent's January 12, 2023 request for placement and the availability of a placement to the student and offered to provide the student specifically stated minutes of compensatory education/services upon the student's enrollment and attendance. (FOFs #10, #11, #12) Given the last agreed upon IEP was an October 2020 IEP, WCSD also informed the Parent that upon the enrollment and attendance of the student, WCSD would implement this last agreed upon IEP; then the student data would be updated, and the student's IEP Team, including the Parent, would then reconvene to update the student's present levels of performance and develop the student's annual IEP. (FOF #13)

The Parent did not accept the WCSD's March 21, 2023 offer of placement at the time of the offer, indicating she would need to speak with her advocate. (FOF #10) As of April 18, 2023, the Parent has not enrolled the student in WCSD or responded to WCSD's notices of the offer of placement for the student and compensatory education/services. (FOFs #11, #12, #14) However, on April 19, 2023, prior to the issuance of this Report, the Parent informed WCSD that since it was so late in the school year, the Parent had decided to wait to have the student go to school until the beginning of school year 2023/2024. (FOF #14)

Citing NAC and case law from other Circuit Courts of Appeal, WCSD's argues that the Parent's rejection of the November 2022 offer of placement and failure to either accept or reject the March 21, 2023 offer of placement obviates WCSD's responsibility to provide the student a Free Appropriate Public Education. This legal argument warrants further discussion. What impact, if any, does the Parent's conduct in this case have on the student's right to a Free Appropriate Public Education for the time period at issue in this Complaint, January 12, 2023 to March 21, 2023?

IDEA's protections are designed to benefit the student. *Doug C. ex rel. Spencer C. v. State of Hawaii, Dep't of Educ.*, 720 F.3d 1038; 61 IDELR 91 (9th Cir. 2013). So long as the student remains eligible under IDEA Part B and NAC, Chapter 388, the student has a right to a Free Appropriate Public Education. While it is unfortunate that the student has not consistently accessed the special education and related services made available to the student as a preschool student with a disability, it did not obviate WCSD's duty to, once

again, make a Free Appropriate Public Education available to the student when the student attempted to return in January 2023. 34 C.F.R. §§ 300.101, 300.323(c); NAC §388.281(6)(e).<sup>4</sup> WCSD's obligation during the relevant time period did, however, end when WCSD made a placement available to the Parent March 21, 2023 and the Parent neither accepted nor rejected the placement nor exercised the Parent's right to challenge the appropriateness of the placement under IDEA Part B and NAC, Chapter 388.

*Therefore, WCSD failed to comply with the IDEA and NAC, Chapter 388, and provide the student a Free Appropriate Public Education, specifically with regard to the identification of a location in January 2023 to implement the student's IEP in the designated placement.*

## **ORDER OF CORRECTIVE ACTION**

The absence of a placement for the student for the period of time from January 12, 2023 to March 21, 2023 constitutes a material failure to implement the student's IEP. *Van Duyn v. Baker School District*, 502 F.3d 811, 107 LRP 51958 (9th Cir. 2007). As such a student-specific remedy is required.

As previously discussed, the availability of a placement in November 2022 and the student's complicated enrollment history did not obviate the obligation of WCSD to make a preschool program placement available to the student in January 2023; however, equitable considerations are relevant in fashioning relief under IDEA, including, through a fact - specific analysis, the conduct of both parties. (*W.G., B.G. v. Trustees of Target Range School District*, (960 F.2d 1484; 18 IDELR 1019 (9th Cir. 1992); *Parents of Student W. v. Puyallup*, 31 F.3d 1489, 21 IDELR 723 (9th Cir. 1994))

### **Student-Specific Remedy – Compensatory Education/Services**

Compensatory education is designed to provide the educational benefits that likely would have accrued to the student from special education services if they had been supplied in the first place. This is a fact-specific determination. *Parents of Student W. ex rel. Student W. v. Puyallup School Dist. No. 3*, 31 F.3d 1489, 21 IDELR 723 (9th Cir. 1994); *Reid ex rel. Reid v. District of Columbia*, 401 F.3d 516, 43 IDELR 32 (D.C. Cir. 2005).

In compensatory education awards, there is no obligation to provide a day-for-day compensation for time missed. *Parents of Student W.* This approach for determining compensatory education is considered 'qualitative' in nature, rather than strictly 'quantitative' and requires that a compensatory education award be made not merely by establishing the amount of services which were not provided, but that an analysis be done to establish what may make the student whole for the denial of services. In this case, the qualitative analysis is complicated. Given the student last attended school in WCSD in 2021 for approximately 15 school days and the last implemented IEP is an October 29, 2020 IEP, it is difficult to ascertain the educational benefits that likely would have accrued to the student from special education services during the missed 41 school days at issue in this Complaint. (FOF #4)

The student's eligibility for preschool services for students with a disability ages three through five years of age will end in November 2023. While, so long as the student remains a student with a disability under

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<sup>4</sup> In support of its legal position WCSD cited NAC §388.300 and persuasive authority: *Garcia v. Board of Education of Albuquerque Public Schools*, 49 IDELR 241 (10th Cir. 2008); *T.B. v. Prince George's County Board of Education*, 72 IDELR 171 (4th Cir. 2018). NAC §388.300 is not applicable to this instant case, because this was not the initial provision of special education and related services to the student that required parental consent. (FOF #2) The Investigation Team also did not find the case law persuasive since this Complaint is factually distinguished in that the student is a young child, not an adolescent with no interest in education or a determined disdain for it.

IDEA Part B and NAC, Chapter 388, the student will continue to have the right to receive a Free Appropriate Public Education, it is of concern that, to date, the student has missed a significant amount of preschool special education and related services that were available to the student. Therefore, in addition to the remaining months of the student's eligibility for preschool services, the Investigation Team took the following into consideration in determining the appropriate compensatory education remedy<sup>5</sup> for the student:

- The impending end of the 2022/2023 school year on June 14, 2023 (FOF #5);
- Given the amount of time the student has been out of school, the determined limited educational benefit to the student of the compensatory education/services award without the student's attendance and receipt of ongoing special education and related services;
- The Parent's right to continue to choose whether the student accesses the available noncompulsory preschool special education and related services;
- WCSD's several offers of placement in the 2021/2022 and 2022/2023 school years upon the Parent's referral of the student (FOFs #4, #7, #10) and the need for a degree of certainty on the part of WCSD regarding the student's enrollment/attendance to ensure the timely allocation and implementation of resources to meet the student's needs and the needs of other students with disabilities.

Accordingly, WCSD is required to make compensatory education/services available to the student as follows:

- 1. If the Parent enrolls the student in WCSD by May 8, 2023, or did enroll the student by the date of this Report<sup>6</sup>, and the student commences attendance in the student's early childhood zoned program<sup>7</sup> within seven school days of the student's enrollment, or did commence attendance, WCSD must provide the following compensatory education/services to the student in addition to the services in the student's IEP:**
  - a. 83 hours of pre-academic (specially designed instruction).
  - b. 9 hours of speech and language therapy.<sup>8</sup>
2. Given this compensatory education/services remedy is conditioned on the Parent's enrollment of the student and the attendance of the student as set forth in number one of this Order, if the Parent chooses not to enroll the student by May 8, 2023 and have the student attend the early childhood

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<sup>5</sup> WCSD's compensatory service offer to the Parent was considered in NDE's determination of the corrective action appropriate to meet the student's needs resulting from the failure to timely implement the student's IEP, including WCSD's day-for-day compensation for time missed and the commencement of the compensatory education/services the day after the Parent's January 12, 2023 request for placement. (FOF #12) Since WCSD's compensatory education offer was based on a number of minutes of specially designed instruction not reflected in the student's IEP, the student's IEP was relied upon in the determination of an appropriate compensatory education/services remedy in this Order.

<sup>6</sup> While the Parent stated her intention not to enroll the student prior to the issuance of this Report (FOF #14), the Investigation Team determined that given the Parent had not responded to WCSD on the offer of compensatory education/services that this Corrective Action remained appropriate since, as previously stated, IDEA's protections are designed to benefit the student. *Doug C. ex rel. Spencer C. v. State of Hawaii, Dep't of Educ.*

<sup>7</sup> At WCSD's discretion, in recognition of the passage of time since the Parent first requested the placement of the student, an alternative placement in another public or, pursuant to IDEA, 34 C.F.R. §300.145, a private early childhood program based on the student's IEP may be made available to the student in lieu of the early childhood zoned program for the remainder of the 2022/2023 school year.

<sup>8</sup> This calculation is based on the student's October 29, 2020 IEP and the equivalent of nine school weeks and three school months. (FOFs #3, #12, #15)

program made available by WCSD within seven school days of the student's enrollment, this Order of compensatory education/services will be deemed void and unenforceable.<sup>9</sup>

3. If WCSD fails to make the student's early childhood zoned program, or an alternative placement as described in footnote number six, available to the student to attend within seven school days of the Parent's enrollment of the student, the condition of the commencement of the student's attendance as set forth in number one of this Order is removed; WCSD must submit a Plan of Corrective Action as set forth below and provide the compensatory education/services to the student; and NDE will take further enforcement action to address the failure to make a placement available to the student upon the student's enrollment by May 8, 2023.

### **Plan of Corrective Action (CAP)**

**If the Parent enrolls the student in WCSD by May 8, 2023, or did enroll the student by the date of this Report, and the student commences attendance in the student's early childhood zoned program or alternative placement made available to the student as described in footnote number six, within seven school days of the student's enrollment, or did commence attendance,** in accordance with NRS §385.175(6), NDE requests a CAP from WCSD within 30 WCSD business days from the date of this Report with regard to the provision of the compensatory education/services to the student. Unless otherwise agreed in writing by WCSD and the Parent<sup>10</sup>, the CAP must include the following for the ordered minutes of compensatory education/services:

- a. The timelines to enable the completion of all of the compensatory education/services as soon as possible, but no later than one year from the date of this Report.<sup>11</sup>
- b. The ordered compensatory education/service must be in addition to the services in the student's IEP and must be provided during school breaks or Extended School Year (FOF #2) or before or after school. At WCSD's discretion, all or part of the compensatory education/services may be provided by a qualified private provider.
- c. WCSD's consultation with the student's Parent(s) on the appropriate means to provide the ordered compensatory education/service to meet the student's educational needs. WCSD must consider any concerns of the Parent and/or proposals in the development of the compensatory education/services plan.

The CAP must be approved by NDE prior to implementation and documentation of the completion of the approved CAP must be provided to NDE within 14 days of its completion.

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<sup>9</sup> The conditions in this Order of Corrective Action only apply to the ordered compensatory education/services remedy for the failure of WCSD to timely make a placement available to the student with a disability from January 12, 2023 to March 21, 2023. Nothing in this Complaint Report precludes the student's right to return to WCSD after May 8, 2023 and, so long as the student remains eligible as a student with a disability under IDEA Part B and NAC, Chapter 388, receive a Free Appropriate Public Education or the Parent's right to access the dispute resolution processes available under IDEA and NAC, Chapter 388, as appropriate, if the Parent disagrees that WCSD's offered placement is the appropriate placement for the student.

<sup>10</sup>This exception includes if the Parent accepted WCSD's compensatory education/services offer in writing prior to the issuance of the Report.

<sup>11</sup> In accordance with 34 C.F.R. §300.600(e), noncompliance must be corrected as soon as possible, and in no case later than one year after the State's identification of the noncompliance.

## **Systemic Remedy**

During a recent special on-site monitoring of WCSD's Child Find system and preschool program conducted by NDE, NDE determined, and WCSD concurred that there was, and continues to be, a systemic failure in WCSD to timely place all preschool-aged students with a disability in accordance with each student's IEP. The systemic exclusion of students with disabilities who had a right to a FAPE upon turning three years of age was determined to be a significant violation of IDEA and NRS/NAC, Chapters 388. Therefore, NDE determined additional enforcement mechanisms with technical assistance and support from NDE were necessary to remedy the identified systemic noncompliance. Accordingly, NDE issued an Order of Corrective Action to WCSD to address the systemic failure reflected in this State Complaint. (FOF #16) This Order of Corrective Action is determined sufficient to provide a systemic remedy for this State Complaint to address the appropriate future provision of services for other preschool-aged students with disabilities in WCSD.