

**CLARK COUNTY SCHOOL DISTRICT
COMPLAINT INVESTIGATION
(#CL082024)**

Report Issued on November 15, 2024

INTRODUCTION

On September 25, 2024, the Nevada Department of Education (NDE) received a State Complaint from the Parent (hereinafter Complainant or Parent) of a student alleging violations by Clark County School District (CCSD) of the Individuals with Disabilities Education Act (IDEA) law and regulations, 20 U.S.C. §1400 et seq., 34 C.F.R. Part 300, and Chapter 388 of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). This September Complaint was received one month after the Parent filed a substantially similar Complaint, covering the same period and substantially same allegations. (August Complaint) NDE has the discretion to make an amendment determination upon the receipt of a new Complaint from a complainant with an open State Complaint. *Federal Register*, Vol. 71, No. 156, August 14, 2006, p. 46603. NDE, to ensure an effective and efficient investigation, used that discretion to determine that the September Complaint would be treated as an amendment to the August Complaint, and that both filed complaints would be combined into one, and referred to going forward as the “Complaint.”

Pursuant to IDEA, 34 C.F.R. §300.152(b), an extension of the 60-day timeline for the submittal of the final report in a complaint investigation was granted due to exceptional circumstances of the amendment to allow both the Parent and CCSD adequate time to provide additional information in response to the new allegations in the amended State Complaint. The new decision date was November 19, 2024.

The allegations in the Complaint were that CCSD failed to implement the student’s March 1, 2024 Individualized Education Program (IEP), including by: disciplining the student at the end of the school year without redirection and alerting the special education instructional facilitator (SEIF) and/or case manager during the first (and only time) the student was placed on Required Parent Conference; not allowing use of a study guide, or a “text to speech” device during a test, and providing a smaller area to test; not allowing the student to retake the final exam(s) scored under 70% when the student could not be provided extra time for the final exams; and the provision of 50 minutes a month of study skills content in one teacher’s class. NDE also accepted for investigation the allegation that CCSD failed to follow Nevada’s Aversive and Restraint laws (Restraint Law) for an incident that took place on May 16, 2024, during which the student’s Parent alleged improper physical touching.

The Complaint also included allegations of discrimination and retaliation that fall under the Americans with Discrimination Act (ADA) and Section 504 of the Rehabilitation Act (Section 504). NDE’s jurisdiction through the special education complaint process is to investigate State Complaints alleging a violation of the requirements of Part B of the IDEA or Nevada law/regulations for special education programs. Therefore, the Parent was informed that these allegations of discrimination and retaliation were not within the scope of the special education State Complaint process.

The Complainant provided a myriad of proposed resolutions that sought implementation of the student’s IEP by August 31, 2024, and counseling sessions to make up for any missed instruction or removals to address these allegations; for CCSD to provide IDEA training, related to the violations, to its online school staff, CCSD Psychological services, and a named CCSD employee; require CCSD to convene an eligibility/IEP Team in compliance with NAC and the IDEA to properly document and consider the IEE to determine the student’s eligibility; and compensatory educational services for the student.

The allegations in the Complaint that are under the jurisdiction of NDE to investigate through the special education complaint process raised the following issues for investigation during the Relevant Period - from March 1, 2024 to the end of the 2023/2024 school year:

Issue One:

Whether CCSD complied with IDEA and NAC, Chapter 388, in the implementation of the student's IEP in effect in the 2023/2024 school year, specifically:

- a. In the administration of a test on May 16, 2024 in a named class, allowing the student to use a study guide and take the test in a smaller area; and providing the student the "text to speech option."
- b. With regard to the student's final exams, retaking the exams on which the student scored under 70% and grading the student on the items the student completed, when extra time could not be provided;
- c. Providing the required 50 minutes a month of study skills content to enable the student to complete missing assessments, specifically as it related to a named general education classroom;
- d. Providing the student a "pressure pass" in a named class to see the school social worker during an anxiety attack, specifically on an identified occasion when the Parent reported the refusal to the school office;
- e. In May 2024, providing the student redirection and alerting the student's case manager and SEIF prior to the student being placed on a Required Parent Conference and being removed for the duration of the school year.

Issue Two:

With regard to an altercation that occurred in May 2024 among students during a break in the quad area of the school, whether CCSD complied with the Nevada aversive and restraint law, NRS §388.471 et seq., by notifying the Parent of the physical restraint of the student; the filing of a restraint report; and the prohibition of retaliation against the Parent for reporting the physical restraint violation.

In the September 27, 2024 Issue Letter to CCSD, CCSD was notified that if it 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 documentation that factually supported the denial, and that failure to provide these by October 16, 2024, would be considered a concession of noncompliance for purposes of this State Complaint. CCSD did respond timely with documentation, denying all but one of the allegations, asserting that it complied with IDEA and NAC regulations concerning the implementation of the student's IEP, but acknowledged that it did not provide the full required 50 minutes per month of study skills content during the Relevant Period. CCSD also denied failing to comply with the Nevada Restraint Statute, NRS §388.471 et seq., providing a factual basis for its denial. CCSD stated that no physical restraint occurred and referenced exigent circumstances that would exempt it from the Restraint Statute, even assuming some restraint took place.

NDE reviewed in their entirety, and considered in this investigation, both State Complaints, and CCSD's denial of all but one claim, arguments and all documents submitted by CCSD in response to the issues in the Complaint. The Findings of Fact cite the source(s) of the information determined necessary to resolve the issues in this Complaint.

FINDINGS OF FACT

General

1. The student was enrolled in an in-person CCSD school (hereinafter CCSD or School) in the 2023/2024 school year. (Attendance Detail, State Complaint, CCSD Response)
2. The 2023/2024 school year began August 7, 2023 and the last day of instruction for students was May 20, 2024. (School Calendar)
3. The student began the 2023/2024 school year receiving accommodations in the classroom setting through a Section 504 plan, until March 1, 2024, when CCSD determined that the student was a student with a disability under IDEA and NAC, Chapter 388, eligible to receive special education services under the category of Health Impairment. The student's initial IEP was developed March 1, 2024 IEP and the student's Parent agreed with the components of the IEP. (IEP)
4. The student's March 1, 2024 IEP provided two annual goals: one in the area of written expression and one in the area of study skills. With regard to study skills, the student was to be provided specially designed instruction for 50 minutes per month of "Study Skills Content Areas" to take place in the general education setting. The student's IEP does not address the use of this service for the completion of missing assignments. (IEP)
5. The student received 30 minutes of study skills in March 2024, 60 minutes of study skills in April 2024 and 45 minutes of study skills during the partial school month of May 2024. (Service Log & Progress Monitoring report)
6. The March 1, 2024 IEP included, as a supplemental aid or service, allowing the student to use the student's "Pressure Pass," to see the student's preferred adult when the student starts to feel frustrated, for up to 10 minutes. (The use of a pressure pass was previously an accommodation in the student's Section 504 Plan and documents provided in the course of the investigation included discussions regarding the student's use of the pass prior to March 1, 2024.) (IEP, Contact Log)
7. The student received the pressure pass on March 5, 2024, and used the pressure pass 11 times between March 5, 2024 and the end of term in May 2024. (IEP, Service Log & Progress Monitoring)
8. The student's IEP allowed the student, as a supplemental aid or service, to use "speech to text to quickly get []¹ ideas on paper." The frequency of this service is for "Writing tasks." (IEP)
9. In the development of the student's March 1, 2024 IEP, the discussion included that extra time and test correction accommodations were not usually part of semester exams. The student's IEP Team decided to add an accommodation for semester exams to only grade on what the student completed due to the quick turnaround of the grading period. (Status Record, IEP)
10. The student's IEP does not provide for the student's use of a study guide during assessments or exams. On May 16, 2024, the student's teacher found the student using a study guide during the

¹ [] denotes the redaction of personally identifiable information.

multiple-choice final examination for the class at issue. The student completed the May 16, 2024 final/semester exam and provided both correct and incorrect answers and received a grade of 55%, a F grade. The student earned a C grade for the semester in this class. (6/10/2024 CCSD Correspondence, Service Log & Progress Monitoring Report, May 16, 2024 Exam, with Answers, 2023/2024 Student Report Card)

11. With regard to assessments, the student's IEP provided supplemental aids/services that:
 - a. The student be allowed to take assessments in an alternative location to reduce distraction. The frequency of services was when taking assessments.
 - b. The student could make test corrections for full credit on classroom assessments that student took, but scored below a 70%. The frequency of services is classroom assessments.
 - c. When extra time is unable to be provided for semester exams, grade only on items completed. Frequency of services was semester exams.
 - d. The student will be given extra time to complete statewide assessments, with examples. The frequency of services was statewide assessments. (IEP)
12. The student was placed in a smaller room, with a special education teacher, to complete the student's May 16, 2024 exam. (Service Log & Progress Monitoring Report))
13. Related to behavior, the student's IEP also included the following supplemental aids/services to:
 - a. Use a nonverbal cue when the student is not meeting behavior expectations, followed by a discrete verbal reminder if nonverbal cue is not working. The frequency of the services was when redirecting and the location of the service was "General Education."
 - b. Alert the student's caseload manager or SEIF before providing discipline to assist with the student's understanding. The frequency of the services was when the student did not meet behavioral expectations and the location of the services was "General Education." (IEP)
14. On May 16, 2024, there was an altercation in the quad/schoolyard of the student's School. The altercation did not involve the student; however, ignoring requests from CCSD personnel, the student did not leave the area until being redirected several times. CCSD issued a Notice of Required Parent Conference/Temporary Removal from School Notice (RPC Notice) as a disciplinary consequence for unacceptable behavior-ignoring school personnel when asked to go to class. The RPC was assigned on May 16, 2024 with a start date of May 17, 2024. The RPC ordered the student's temporary removal from school and required the student's Parent to attend a conference with a school administrator to discuss resolution of the problem. The student was required to attend the RPC conference, as an exception to the student's temporary removal from school. (RPC Notice, June 10, 2024 Correspondence, Behavior Detail Report, Complaint, Response)
15. On May 16, 2024, at 1:31 PM, a CCSD employee left a phone message for the student's parent notifying the parent of the RPC Notice. (Student Contact log)
16. Regarding final exams missed while the student was temporarily removed from school, CCSD personnel informed the student's parent that the student could make up the exams on Monday, May 20, 2024 and another opportunity was provided for May 17, 2024. However, the student did not make up any of the missed exams. (6/10/2024 CCSD Correspondence, Response)

17. During the May 29, 2024 RPC, the student's Parent requested that the student be exempt from taking final exams that were missed due to the RPC Notice. CCSD later acceded to this request and exempted the student's final exams, except for the one on May 16, 2024 taken prior to the RPC, in which the student improperly used a study guide. (Behavior Detail Report, 6/10/2024 CCSD Correspondence)

Physical Restraint

18. On or about May 20, 2024, the student's Parent notified CCSD of the Parent's belief that a CCSD employee "grabbed student" during the May 16, 2024 campus disruption. (Review of the Record)
19. CCSD investigated the Parent's allegation, including through obtaining witness statements and reviewing a video of the incident, and issued a report finding the allegation unsubstantiated. (5/22/2024 CCSD Office of Compliance Monitoring Report)
20. School rules require that during a campus disruption all students must be evacuated to a safer area. (1/5/2024 CCSD Letter).

CONCLUSIONS OF LAW

Issue One:

Whether CCSD complied with IDEA and NAC, Chapter 388, in the implementation of the student's IEP in effect in the 2023/2024 school year, specifically:

- a. In the administration of a test on May 16, 2024 in a named class, allowing the student to use a study guide and take the test in a smaller area; and providing the student the "text to speech option."
- b. With regard to the student's final exams, retaking the exams on which the student scored under 70% and grading the student on the items the student completed, when extra time could not be provided;
- c. Providing the required 50 minutes a month of study skills content to enable the student to complete missing assessments, specifically as it related to a named general education classroom;
- d. Providing the student a "pressure pass" in a named class to see the school social worker during an anxiety attack, specifically on an identified occasion when the Parent reported the refusal to the school office;
- e. In May 2024, providing the student redirection and alerting the student's case manager and SEIF prior to the student being placed on a Required Parent Conference and being removed for the duration of the school year.

The requirements of the provision of a Free Appropriate Public Education to students with disabilities under IDEA and NAC, Chapter 388, necessitate that special education and related services and supplemental aids and services are provided in conformity with the 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).

May 16, 2024 Test and Final Exam

In the development of the student's March 1, 2024 IEP, the IEP Team, including the Parent, discussed the accommodations for the student when taking various tests. These accommodations expressly distinguished between the those applicable during the administration of classroom assessments, semester exams, and statewide assessments. The student's Parent agreed with the IEP. (Finding of Fact (FOF) #3, #9, #11)

The May 16, 2024 test at issue in this Complaint was a multiple choice final/semester exam. (FOF #10) For this exam, CCSD was required to implement the generally applicable supplementary aid/service of allowing the student to take assessments in an alternative location to reduce distraction and, when extra time is unable to be provided for semester exams, for the student to be graded only on items completed. (FOF #11)

As to the allegations regarding a study guide; "text to speech option" and retaking exams on which the student scored under 70%:

- While the student's IEP does provide for a speech-to-text guide as a supplementary aid, it is only for writing tasks, not assessments and, in this case, a multiple-choice exam. (FOF #8)
- The student's IEP does not provide for the use of a study guide. (FOF #10)
- The retaking of exams on which the student scored under 70% was only for classroom assessments, not semester exams. (FOF #11)

Given these limitations, or in the case of the study guide, the absence of an accommodation, CCSD was not required by the student's IEP to provide a "text to speech option" or study guide for the May 16, 2024 multiple-choice final/semester exam or to allow for the retaking of the semester/final exam in the named class. The student was placed in a smaller room, with a special education teacher, to complete the student's May 16, 2024 exam (FOFs #11, #12) and, given the student completed the exam, CCSD was not required to grade the student only on items completed. (FOF #11) Therefore, CCSD implemented the student's IEP as required in the administration of the May 16, 2024 semester/final exam.

It is important to note that this was the only final exam the student took prior to the end of the school year because the RPC, including the student's temporary removal from school, began on the third to last day of school. While the student was provided an opportunity to take the student's other final examinations, the student did not do so. (FOFs #14 - #16). At the request of the student's Parent, CCSD agreed to exempt the student from having to take the missed semester/final exams. (FOF #17) As such, other than for the May 16, 2024 semester/final exam in the named class, CCSD was not required to implement the applicable supplementary aids/services for these exams not taken.

Therefore, the State Complaint Investigation Team finds that CCSD implemented the student's IEP with regard to the May 16, 2024 exam, the only final exam.

Study Skills Time

As previously discussed, CCSD conceded that it failed to provide the student the full 50 minutes per month of specially designed instruction of "study skills" included in the student's IEP. (FOF #4) The student received 30 minutes of study skills in March 2024, 60 minutes of study skills in April 2024, and 45 minutes of study skills during the partial school month of May 2024, for a total 135 minutes of study skills, or 15 minutes less than the IEP required for those three months. (FOF #5) The State Complaint Investigation Team, therefore, finds that CCSD failed to implement the student's IEP with regard to providing the required minutes of study skills between March and May 2024

Pressure Pass

The student's March 1, 2024 IEP included the supplemental aid/service of allowing the student to use the student's pressure pass, to see the student's preferred adult when the student starts to feel frustrated, for up to 10 minutes. (FOF #6) While the Complaint included facts supporting the allegation that a named teacher did not allow use of the pressure pass provided for in the student's IEP, no such incident was substantiated in documentation provided in the course of this investigation. After March 1, 2024, the Relevant Period, the student did use the pressure pass 11 separate times between receiving the pressure pass on March 6, 2024 until the end of the school year on May 20, 2024. (Any incident involving the named teacher and the pressure pass from before March 1, 2024, is not relevant to this matter.) (FOFs #6, #7) Given the absence of documentation to substantiate the allegation and upon consideration of CCSD's permitted frequent use of the pressure pass during the Relevant Period, the State Complaint Investigation Team determined that CCSD implemented the student's IEP with regard to the pressure pass.

Redirection and Alert Prior to RPC

Related to behavior, the student's IEP also included supplemental aids/services to use a nonverbal cue when the student is not meeting behavior expectations, followed by a discrete verbal reminder if the nonverbal cue is not working, when redirecting the student; and to alert the student's caseload manager or SEIF before providing discipline when the student did not meet behavioral expectations, to assist with the student's understanding.² (FOF #13) At issue in this case is whether CCSD implemented these supplemental aids/services when redirecting the student during the evacuation of the schoolyard and prior to the assignment of a RPC and the student being removed for the duration of the school year.

On May 16, 2024, there was an altercation in the schoolyard of the student's School. The altercation did not involve the student; however, the student ignored requests from CCSD personnel to leave the area until after being redirected several times. (FOF #14) CCSD's redirection of this student and other students was consistent with a CCSD rule that students be evacuated to a safer area during a campus disruption. (FOF #20) CCSD issued a RPC as a disciplinary consequence for the student for the unacceptable behavior of ignoring school personnel when asked to go to class. (FOF #14)

With regard to the evacuation of the student and all other students during the altercation of the schoolyard, it is important to note that the student was not involved in the altercation and was meeting behavioral expectations at the time of CCSD began evacuating the students to a safer area. Therefore, the State Complaint Investigation Team determined that CCSD was not required to implement the student's supplemental aid/service to use nonverbal cues and a follow-up with a discrete verbal reminder at that time the student was being evacuated. Similarly, CCSD was not required to implement this aid/service upon the occurrence of the student's subsequent unacceptable behavior that took place *after* the redirection had already occurred; and under exigent circumstances. (FOF #14)

However, the assignment of the RPC as a disciplinary consequence for the student occurred after the unacceptable behavior and the exigent circumstance had passed. As such, CCSD was required to implement the supplementary aid/service to alert the student's caseload manager or SEIF before providing discipline when the student did not meet behavioral expectations, to assist with the student's understanding, and did not do so. It is recognized that the RPC in this case required both the student and the Parent to attend the conference with CCSD personnel to discuss the student's behavior and that conference, presumably, would have assisted with the student's understanding of the assignment of the discipline. Nonetheless, CCSD

² The location of these services was generally stated as "General Education" with no distinction between the classroom setting or campus setting. Neither the Complainant nor CCSD raised this as a distinction of import and it was not treated as such.

failed to implement this supplementary aid/service as required. (FOFs #13, #14)

Therefore, CCSD complied with IDEA and NAC, Chapter 388, in the implementation of the student's IEP in effect in the 2023/2024 school year, specifically: In the administration of a test on May 16, 2024 in a named class; with regard to the student's final exams and making corrections thereto; providing the student use of a "pressure pass" in a named class; and providing the student with redirection when not meeting behavioral expectations. However, CCSD failed to alert the student's caseload manager or SEIF before providing discipline when the student did not meet behavioral expectations and to implement the required 50 minutes a month of study skills content.

Issue Two:

With regard to an altercation that occurred in May 2024 among students during a break in the quad area of the school, whether CCSD complied with the Nevada aversive and restraint law, NRS §388.471 et seq., by notifying the Parent of the physical restraint of the student; the filing of a restraint report; and the prohibition of retaliation against the Parent for reporting the physical restraint violation.

Except as otherwise provided in NRS §388.501, NRS §388.499 prohibits a person employed by the board of trustees of a school district or any other person to use physical restraint on a student with a disability. ("Physical restraint" is defined as the use of physical contact to limit a person's movement or hold a person immobile. NRS §388.494.) Pursuant to NRS §388.501, there are express conditions under which physical restraint may be used and relevant to this case, one of those conditions is if the physical restraint is used to escort or carry the student to safety if the student is in danger in his or her present location.

The State Complaint Investigation Team analyzed the circumstances in this case in accordance with the NDE AB 280 Guidelines to determine whether CCSD complied with NRS §388.471 et seq. Here, there is no dispute that at the time of the alleged incident, the student qualified as a student with a disability (FOF # 3), and so, the provisions of the statute apply.

The alleged physical restraint on May 16, 2024 took place while an altercation in the schoolyard was ongoing and the student and other students were being evacuated out of the area. As previously discussed, the student was not involved in the altercation; however, the student did not comply with several requests to leave the area and was then directed away by a CCSD employee. (FOF # 14)

There is a factual dispute between the student's Parent and CCSD as to the nature and extent of the physically touching, if any, by a CCSD employee during the campus disruption. (FOFs #18, #19) Given the explicit conditions/exceptions under which physical restraint may be used pursuant to NRS §388.501, the State Complaint Investigation Team determined as a preliminary matter, even assuming a physical restraint occurred, to ascertain whether the circumstances surrounding the physical contact fell within one of the specific categories of physical restraint permitted under NRS §388.501.

Upon consideration of the altercation in the schoolyard and the determined need to evacuate all students to a safer area (FOFs #14, #20) the State Complaint Investigation Team determined that, even if physical contact that constituted physical restraint occurred in the cited incident, the circumstance met the exception to escort or carry the student to safety if the student is in danger in the present location. NRS §388.501; NDE AB 280 Guidelines. As such, no violation of NRS §§388.471 to 388.515 occurred and the requirements in NRS §388.471 et. seq., including the reporting of a violation; prohibition of retaliation for

reporting a violation; mandatory reports; and notification were not required in this case. NRS §388.471 et seq.; NDE AB 280 Guidelines.

Given this determination, the State Complaint Investigation Team determined that it was not necessary to resolve the factual dispute between the Parent and CCSD since, under either scenario, the applicable statute, NRS § 388.501(2)(b), permitted the CCSD employee to “escort or carry the pupil to safety if the pupil is in danger in his or her present location.” §NRS 388.501(2)(b).

Therefore, with regard to an altercation that occurred in May 2024 among students during a break in the quad area of the school, in the absence of a violation due to the exception, CCSD was not required to comply with the Nevada aversive and restraint law, NRS §388.471 et. seq., to notify the Parent of the physical restraint of the student and file a restraint report; and the prohibition of retaliation against the Parent for reporting the physical restraint violation.

ORDER OF CORRECTIVE ACTION

CCSD is required to take corrective action to address the violations found in this State Complaint investigation. In accordance with IDEA, 34 C.F.R. §300.151(b), in resolving a State Complaint in which the State Education Agency has found a failure to provide appropriate services, the agency, pursuant to its general supervisory authority under IDEA Part B must address: (1) the failure to provide appropriate services, including corrective action appropriate to address the needs of the child (such as compensatory services or monetary reimbursement); and (2) appropriate future provision of services for all children with disabilities.

The determination of noncompliance with regard to CCSD’s failure to implement the student’s IEP by providing the student with the full 50 minutes per month of study skills content and the alerting aid/service prior to discipline does not end the inquiry. The next inquiry is whether a student-specific corrective action is required to address the needs of the student. 34 C.F.R. §300.151(b). Whether the failure to provide the services in a student’s IEP is a minor discrepancy or a material failure is relevant to the determination whether a student-specific corrective action is required to address the needs of the student. 34 C.F.R. §300.151(b). This is an individualized determination: “A material failure to implement an IEP occurs when there is more than a minor discrepancy between the services a school provides to a disabled child and the services required by the child’s IEP...” and the services “...a school provides to a disabled child fall significantly short of the services required by the child’s IEP. (*Van Duyn v. Baker School District*, 502 F.3d 811, 107 LRP 51958 (9th Cir. 2007))

In this case, the student’s IEP required the provision of 50 minutes per month of study skill content (FOF # 4). The documentation indicated that the student received 30 minutes of study skills in March 2024, 60 minutes of study skills in April 2024 and 45 minutes of study skills during the partial school month of May 2024. (FOF #5). In the three months of the Relevant Period the student received an average of 45 minutes per month, reflecting an average 5-minute shortfall per month, or a 15-minute shortfall altogether. With regard to the failure to alert the SEIF or case manager to the disciplinary consequence of the RPC, given the passage of time and the inclusion of a discussion of the incident and the resolution in the RPC, the State Complaint Investigation Team determined that neither noncompliance was a material failure warranting a student-specific appropriate to address the needs of the student. (*Van Duyn*). However, a systemic remedy is required to appropriate future provision of services for all children with disabilities.

Systemic Remedy

As soon as possible after the receipt of this Report, but no later than December 6, 2024,³ CCSD must provide a copy of this Complaint Report to the principal, vice, principal, case manager and SEIF at the school the student attended at the time of the noncompliance. The transmittal letter/memorandum must include reference to the requirement that special education and related services and supplemental aids and services must be provided in conformity with a student's IEP; the findings of noncompliance in this case; and reference to CCSD's system of records for the purpose of verifying this student and others are served in the manner appropriate to the unique needs of the student. 34 C.F.R. §§300.17(d), 300.101; NAC §§388.215, 388.281(6)(e).

Documentation must be provided to NDE within 10 business days of the transmittal of the Report to the aforementioned individuals, including a method verifying each recipient reviewed the Report.

³ Alternatively, in accordance with NRS §385.175(6), at CCSD's discretion, CCSD can provide a plan of corrective action plan (CAP) by December 6, 2024 for NDE's approval to otherwise remedy the noncompliance in a timely manner that addresses the appropriate future provision of services for all children with disabilities at the school and includes the provision of documentation within 10 business days after the completion of the corrective action.