

**IMPARTIAL DUE PROCESS HEARING
BEFORE THE HEARING OFFICER
APPOINTED BY THE STATE SUPERINTENDENT OF PUBLIC SCHOOLS
STATE OF NEVADA**

In the Matter of

Date: August 18, 2025

STUDENT¹, by and through Parent
Petitioners,

v.

Hearing Officer
Colleen Platt

SCHOOL DISTRICT
Respondent

FINDINGS OF FACTS, CONCLUSIONS OF LAW AND DECISION AND ORDER

This matter came for a hearing on August 14, 2025. The Respondent was represented by Counsel for the School District and Parent represented himself. Colleen Platt, Esq. served as the hearing officer (“Hearing Officer”) in this matter. The following Findings of Facts, Conclusions of Law and Decision are hereby rendered by the Hearing Officer.

I. PROCEDURAL HISTORY

On June 5, 2025, Parent filed a due process complaint (“Complaint”) requesting an impartial due process hearing. On June 9, 2025, this Hearing Officer was appointed to hear the Complaint. On June 12, 2025, this Hearing Officer filed a Preliminary Order and Notice of Status Conference setting a status conference for June 17, 2025. On June 13, 2025, the School District emailed this Hearing Officer and Parent indicating that it was not available at the time set in the Notice of Status Conference. This Hearing Officer asked the parties their availability. Parent did not seem to understand what this Hearing Officer was asking of the parties but

¹ Personally identifiable information is attached as Appendix A to this Order and must be removed prior to public distribution.

eventually indicated that he would be available. On June 13, 2025, this Hearing Officer sent a second Notice of Status Conference for the agreed upon time on June 17, 2025. Parent again emailed this Hearing Officer and the School District regarding his belief that there was a conflict for the status conference. The email dated June 13, 2025, asked why it was necessary to have “two separate hearing(s) for the exact same thing without showing cause or a list of individuals it calling to produce. . . . Since none was held in the supposedly held resolution meeting on June 11, 2025, without a hearing or determination over the sufficiency of the “due process” complaint [as of this date, yet].” This Hearing Officer responded on June 13, 2025, by email articulating that the Notice of Status Conference initially set the status conference date and time for June 17, 2025, at 10:00 am, but the School District was not available at that time, so a different time was proposed and agreed upon. The email from this Hearing Officer continued to explain that at the status conference we would discuss the resolution period and discuss the procedure for conducting a hearing on the Complaint, including the pre-hearing conference. The email also clarified that this Hearing Officer did not engage in settlement discussions and that the status conference was not a mediation.

On June 17, 2025, a status conference was held in this matter wherein the parties indicated that they had a resolution meeting but that the matter was unlikely to be resolved without a hearing. This Hearing Officer attempted to clarify the Complaint. Specifically, the Parent had included language in the Complaint that the Elementary School staff had “manufactured evidence to claim trespassing or intent to vex or annoy” and that the Student had been suspended for 2 days. The Complaint contained a document that indicated that the Student was suspended and could return to the Elementary School on May 23, 2025. The Complaint did not include language that indicated that the Student had been suspended for more than 10 days in

the school year. The Parent indicated that the Elementary School did not provide services to the Student as required in the IEP and continued that he expected to see certain staff members from the Elementary School at the status conference. This Hearing Officer explained that the Elementary School staff members did not participate in the status conferences or prehearing conferences. This Hearing Officer explained that the employees may be called at the hearing by either party. The Parent got agitated and indicated the Elementary School and School District had all the documents. When this Hearing Officer asked what the Parent meant by that, he indicated that he had already explained what he meant. This Hearing Officer again explained in detail the due process hearing process and the goal of the prehearing conference and what this Hearing Officer's role was. Parent articulated that he expected to have individuals from the Student's school present at the status conference. This Hearing Officer explained that once the Parent filed the Complaint, the process shifted to the School District and the Parent would have an opportunity to identify witnesses that he would like to present in his case and question those witnesses about the underlying issues in the Complaint. This Hearing Officer also explained that those individuals would not be present at any status conference or prehearing conference. The prehearing conference was scheduled for July 8, 2025, and a hearing was scheduled for August 14, 2025.

On June 17, 2025, after a request by this Hearing Officer at the status conference, the School District provided copies of three of the Student's Individualized Education Program ("IEP"). On June 17, 2025, Parent emailed this Hearing Officer and the School District expressing his disapproval that an employee of the School District was not present at the June 17, 2025, status conference. The email went on to express confusion of employees' roles and titles at the Student's school and indicating that he was receiving the Student's IEP dated May

14, 2025, for the first time that day. On June 19, 2025, Parent emailed this Hearing Officer and the School District copies of pages of what appear to be pages of one of the Student's IEP with portions of the document highlighted. No explanation was included in email regarding why the pages were sent.

On June 30, 2025, this Hearing Officer received by U.S. mail copies of various documents, including the Student's IEP dated May 14, 2025, a Notice of Required Parent Conference dated May 20, 2025, emails dated April 4, May 13, and June 13, 2025, letter dated June 13, 2025, from the School District to Parent, letter from the Student's school to Parent, and a complaint to the Office of Civil Rights. This Hearing Officer emailed the parties to ask Parent if Parent provided a copy of the documents to the School District and to further clarify that anything provided to this Hearing Officer must be provided to the School District and ask Parent if he was planning on using the documents in the hearing. Parent responded that all documents had been provided to the School District and that the documents were "Discovery Material" but did not provide any further explanation or context to what was meant by that statement.

On July 8, 2025, a pre-hearing conference was held wherein the parties discussed the issues that would be heard at the hearing, as well as other formalities related to the hearing. At the pre-hearing conference, this Hearing Officer attempted again to explain the process of the hearing. Parent became agitated, abusive and hostile. This Hearing Officer again attempted to clarify the hearing process and the issues that would be heard at the hearing and explained that the parties were to exchange their witness list and proposed exhibits on or before August 7, 2025. When this Hearing Officer tried to clarify the issues in the Complaint, specifically what "specific instructional strategies, therapies (like speech or physical therapy), assistive technology, or other supports detailed in the IEP" the Parent stated that he had already explained to what he meant

and would not repeat himself. This Hearing Officer apologized if he had stated what he intended regarding those services, but that she did not hear him when he did state them and asked if he could please repeat the specific services that were not provided so that it could be clear for the hearing. The Parent again stated he had already said what he meant and would not repeat himself. Again, this Hearing Officer requested that he please repeat himself so that the issues for the hearing could be clear because if they were not clear, it was possible that the hearing would not address his concerns. Again, the Parent stated he would not repeat himself. This Hearing Officer continued with the pre-hearing conference explaining what the 5-business day exchange rule was. This Hearing Officer asked the Petitioner if he had any questions regarding this rule. The Parent indicated he did not have any questions and again stated he would not repeat himself. A Pre-Hearing Conference Report and Order was filed on July 8, 2025.

On August 14, 2025, beginning at 9:00 a.m., by videoconference, a hearing was held on the issues set forth in the Pre-Hearing Conference Report and Order. The School District's Counsel presented an opening statement wherein he stated that the evidence would show that the School District did implement the Student's IEP but for one specific issue, the amount of time for speech/language services and that the School District did not provide written notice of the May 14, 2025, meeting, but that the Parent was given notice of the meeting and the Parent did attend the meeting. Parent was offered an opportunity to present an opening statement but declined the offer. The Respondent presented two witnesses: (1) Director 1; and (2) Special Education Teacher. The Parent did not present any witnesses nor did Parent testify. Parent participated in the hearing, specifically cross examining both witnesses. This Hearing Officer also questioned the witnesses and after such questioning gave both Counsel for the School District and Parent an opportunity to ask further questions of the witnesses. Parent declined

further questioning of the witnesses after this Hearing Officers questions. At the conclusion of the School District's presentation of their case, this Hearing Officer explained to the Parent that it was his opportunity to present his side of the matter and that he could testify at this time. Parent indicated that a witness that had been listed on the School District's witness list had not testified. The School District explained that it would not be calling the individual. This Hearing Officer asked Parent if he had disclosed his list of witnesses to the School District on or before August 7, 2025, as previously discussed at the Pre-Hearing Conference and set forth in the Pre-Hearing Conference Report and Order. Parent became agitated and indicated that the School District had said it would call the individuals listed on their witness list and had indicated that it would call all witnesses called by Parent. This Hearing Officer explained that the School District is required to provide Parent with a list of the potential witnesses but is not required to call all witnesses. Parent continuously interrupted this Hearing Officer's attempt to explain the process. Parent got increasingly agitated, hostile and disrespectful towards this Hearing Officer and indicated that he would be disconnecting from the hearing. This Hearing Officer continuously attempted to explain the proceedings to Parent but was consistently interrupted. Parent disconnected from the hearing voluntarily and without indicating that there was an emergency or any other issue that prevented him from continuing with the hearing. This Hearing Officer noted for the record that the Parent had left the hearing. At that time, this Hearing Officer asked Counsel for the School District if he had any closing arguments and he indicated he had nothing further and stood on his opening statement. This Hearing Officer then closed the hearing and considered the matter submitted for decision.

In its presentation of the case, the School District admitted four exhibits: Respondent's Exhibit 4, 6, 7, and 8. Petitioner objected to Respondent's Exhibit 8 stating that he had not

received the exhibit before the date of the hearing. This Hearing Officer explained that the School District had emailed the Parent and this Hearing Officer with a link to a Google Folder on August 7, 2025, which contained all of the School District's proposed exhibits for the hearing. Parent confirmed that he had received the email but had not opened or reviewed the files.

Additionally, during the cross examination of the Director 1, Parent repeatedly referred to an email that Parent had sent to Director 1. The School District objected to the reference to the email because it was not in evidence at the time. This Hearing Officer asked Parent if he had provided the School District with a list of the exhibits he wanted to use in the hearing. Parent indicated that the School District already had the exhibits he wanted to use because they were included in the Complaint. The School District voluntarily scanned a copy of the Complaint, which included the email at issue, and uploaded the Complaint to the previously provided Google Folder and labeled the file as Petitioner's Exhibit. This Hearing Officer explained to the Parent that he could seek to admit the exhibit so that he could ask Director 1 about the email. The Parent declined to admit the exhibit into evidence.

ISSUES TO BE DECIDED

The issues to be determined are as follows:

1. Did the School District deny the Student a FAPE by failing to implement the Student's IEP, specifically by failing to provide:
 - a. Specially designed instruction in math, speech, and written expression beginning on January 1, 2025?
 - b. Specific instruction strategies, assistive technology, or other supports listed in the Student's IEP beginning on January 1, 2025?

2. Did the School District deny the Student a FAPE by failing to provide a Prior Written Notice on or about May 14, 2025?

II. FINDINGS OF FACT

After considering the testimony presented at the hearing and the admitted exhibits, this Hearing Officer makes the following findings of fact:

1. The Student was enrolled at the Elementary School beginning on or about January 1, 2025. (Testimony of Director 1 and Special Education Teacher)
2. Prior to his enrollment at the Elementary School the Student was enrolled in a different elementary school and had an IEP that required a review in January 2025. (Testimony of Director 1 and Special Education Teacher)
3. On or about December 17, 2025, the Special Education Teacher became aware that the Student would be attending the Elementary School after the winter break and the Student's IEP would need to be updated. (Testimony of Special Education Teacher)
4. Student began attending the Elementary School in January 2025 after the winter break. (Testimony of Special Education Teacher)
5. The speech/language therapist was provided notice that the Student would be requiring speech/language services when the Student began attending the Elementary School. (Testimony of Director 1 and Special Education Teacher)
6. On January 7, 2025, an IEP meeting was convened. Present at the meeting were Parent, Special Education Instructional Facilitator ("SEIF"), Special Education Teacher, regular education teacher, speech/language therapist, school nurse. (Respondent's Exhibit 6)

7. The School District provided written notice of the meeting on January 6, 2025, which provided that the reason for the meeting was to develop an initial/annual IEP to continue with the Student's current educational status. (Respondent's Exhibit 6)
8. Student's eligibility category for the January 7, 2025, IEP, was emotional disturbance, health impairment. (Respondent's Exhibit 6)
9. The Student's January 7, 2025, IEP contained special education services in Math/Behavior and Written Expression/Behavior for 150 minutes per week for each of those services located in the resource room. (Respondent's Exhibit 6)
10. The Student's January 7, 2025, IEP provided that the Student would receive the following supplementary aids and services:
 - a. word bank (list of vocabulary or phrases), during writing activities/daily, in the resource room and general education classroom.
 - b. Use of a multiplication chart, during math task/school assessment/daily, in the resource room and general education classroom.
 - c. Graphic organizer, during writing activities/daily, in the resource room and general education classroom.
 - d. Verbal cues (provide clear, concise verbal reminders, daily throughout all settings, in the resource room and general education classroom.
 - e. Frequent breaks (provide short, scheduled breaks to help [Student] reset and manage overwhelming tasks, calm-down corner or space), when frustration occur, in the resource room and general education classroom.
11. The Student's January 7, 2025, IEP indicated the Student was not eligible for extended school year services. (Respondent's Exhibit 6)

12. The Student's January 7, 2025, IEP placed the Student in the regular class and special education class, indicating the Student would spend 84% of the school day in the regular education environment. (Respondent's Exhibit 7)
13. The School District provided a Notice of Intent to Implement IEP on January 7, 2025. (Respondent's Exhibit 6)
14. The Parent agreed with the IEP created on January 7, 2025. (Respondent's Exhibit 6)
15. At some point in May 2025, the School District became aware that the Student's prior IEP provided that the Student was to receive speech/language services and that the January 7, 2025, IEP did not include those as related services that the Student would receive. (Testimony of Director 1 and Special Education Teacher)
16. On May 14, 2025, a meeting was held to amend the Student's January 7, 2025, IEP to correct the error that the Student should have been provided with speech/language services as a related service. (Testimony of Special Education Teacher and Director 1)
17. Participating in the meeting were: Parent, Special Education Teacher, SEIF, regular education teacher, and school nurse. (Respondent's Exhibit 7)
18. The speech/language therapist was invited but did not attend because they did not see the invite. (Testimony of Special Education Teacher and Director 1)
19. No written notice of the May 14, 2025, meeting was provided to the Parent but Parent was notified of the meeting and did attend. (Testimony of Director 1)
20. The Student's January 7, 2025, IEP was amended to add speech/language as a related service beginning on August 1, 2025, through January 6, 2026, at 60 minutes per month in the speech room.

21. The Student's May 14, 2025, IEP added speech/language as an extended school year service, beginning on May 14, 2026, through July 31, 2025, at 60 minutes per month in the speech room, and August 1, 2025, through January 6, 2025, in the speech room. The Director 1 explained to the Parent that she was offering to provide the minutes of speech/language services that the Student should have received during the school year, in the extended school year. The Parent declined this service because he did not understand how the IEP created on January 7, 2025, indicated that the Student was not eligible for extended school year services but that the Student could receive speech/language services in the extended school year. (Testimony of Director 1, Respondent's Exhibit 7)
22. The Director 1 offered to provide the Student with minutes of speech/language services that the Student did not receive from December 2024, through May 2025, representing a total of 360 minutes of speech/language services during the extended school year or as additional minutes beginning in the 2025-2026 school year. (Testimony of Director 1)
23. While the Student was not eligible for standard extended school year services because the Student could still receive the speech/language services during the extended school year. Essentially, the Student would be receiving services during the extended school year but would not be receiving the typical extended school year services, the Student would only receive the speech/language services. (Testimony of Director 1).
24. The Student's IEP before the January 7, 2025, IEP contained speech/language services as a related service at a frequency of 60 minutes per month. (Testimony of Director 1 and Special Education Teacher)

25. The Student did not receive speech/language services in December 2024, January, February, March, April, or May 2025. (Testimony of Director 1, Special Education Teacher, Respondent's Exhibit 8)
26. The Student's May 14, 2025, IEP also revised the specially designed instruction, adding writing/behavior beginning August 1, 2025, through January 6, 2026, at a frequency of 250 minutes per week in the resource room and math/behavior at a frequency of 250 minute per week in the resource room. It also revised the dates for the math/behavior and written expression/behavior already provided for in the January 7, 2025, IEP by revising the beginning date to May 14, 2025. (Respondent's Exhibit 7)
27. The Student's May 14, 2025, IEP also revised the beginning date of the supplementary aids and services provided to Student from January 6, 2025, to May 14, 2025, but did not revise the frequency of services or location of services. (Respondent's Exhibit 7)
28. The meeting on May 14, 2025, was conducted by video conference. The Special Education Teacher placed the May 14, 2025, IEP in the Student's orange folder that was sent home with the Student each day. (Testimony of Special Education Teacher)
29. The Special Education Teacher did not mail a copy of the May 14, 2025, IEP to the Parent. (Testimony of Special Education Teacher)
30. Student received 60 minutes of writing services and 30 minutes of math services per day with the Special Education Teacher. (Testimony of Special Education Teacher)
31. It was an error, oversight, mistake that the Student's January 7, 2025, IEP did not contain the speech/language services as a related service and those services were not

provided to the Student even though the Student's IEP prior to the January 7, 2025, IEP had those services as services to be provided to the Student. (Testimony of Director 1 and Special Education Teacher)

32. When the School District completed its presentation of the case and rested, the Parent was offered an opportunity to testify and/or call witnesses. The Parent became agitated that the School District did not call all of the witnesses listed on the witness list provided to the Parent on August 7, 2025, in accordance with the July 8, 2025, Pre-Hearing Conference Report and Order. After this Hearing Officer attempted to explain the procedure, the Parent became further agitated and indicated that he would voluntarily leave the hearing. This Hearing Officer again attempted to explain the procedure at which time the Parent disconnected from the hearing and did not return.

III. CONCLUSIONS OF LAW

Based upon the above Findings of Fact, this Hearing Officer's Conclusions of Law are as follows:

The Individuals with Disabilities Education Act ("IDEA") was enacted for, among other reasons, to "ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living." (20 U.S.C. §1400(d)(1)(A))

NRS 388.467 provides that when a "due process hearing is held pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., regarding the identification, evaluation, reevaluation, classification, educational placement or disciplinary action of or provision of a free appropriate public education to a pupil with a disability, and a

school district is a party, the school district has the burden of proof and the burden of production.”

A. Did the School District deny the Student a FAPE by failing to implement the Student’s IEP, specifically by failing to provide:

- 1. Specially designed instruction in math, speech, and written expression beginning on January 1, 2025?**
- 2. Specific instruction strategies, assistive technology, or other supports listed in the Student’s IEP beginning on January 1, 2025**

This Hearing Officer finds that the School District denied the Student a FAPE by failing to implement the Student’s IEP by failing to provide the Student speech/language services. In addition, this Hearing Officer finds that the School District did not deny the Student a FAPE by failing to implement the Student’s IEP by failing to provide specially designed instruction in math or written expression, nor by failing to provide specific instruction strategies, assistive technology, or other supports listed in the Student’s IEP.

34 C.F.R. §300.324(b) provides that a student’s IEP must be reviewed not less than annually to determine whether the student is meeting the annual goals set forth in the IEP. It also provides that the IEP may be revised to address: (1) any lack of progress towards the goals; (2) results of any reevaluations conducted; (3) information provided by the parents of the student; (4) the student’s needs; or (5) any other matters. In this case, testimony by the Director 1 and the Special Education Teacher indicated the following: (1) the Elementary School knew that the Student had an IEP; (2) the annual review of that IEP was due when the Student began attending the Elementary School after the winter break; (3) the IEP prior to the one created on January 7, 2025, provided speech/language services as a related service; (4) the Speech Therapist was

invited to the January 7, 2025, IEP meeting and had been provided notice that the Student was being assigned to the speech therapist for speech/language services; (5) the Speech Therapist did not attend the January 7, 2025, IEP meeting; and (6) the January 7, 2025, IEP did not include speech/language services as a related services.

Both the Director 1 and the Special Education Teacher testified that the January 7, 2025, IEP should have included speech/language services as a related service and that it was an error on their part that the services were not included. It was not until sometime in May 2025 that the Director 1 and Special Education Teacher became aware that the Student should have been receiving speech/language services and contacted the Parent to amend the Student's IEP to include those services.

34 C.F.R. §300.324(a)(6) authorizes a school district to make changes to a student's IEP without redrafting the entire IEP, is agreed upon by the parent. In this case, the School District amended the Student's January 7, 2025, IEP with the May 14, 2025, IEP. The May 14, 2025, IEP added speech/language services as a related service for May 14, 2025, through July 31, 2025, and August 1, 2025, through January 6, 2026.

While the Student's January 7, 2025, IEP did not include speech/language services, it is clear from the testimony that it should have included those services. As such, the Student was not provided speech/language service in December 2024, and January through May 2025, which resulted in the Student not receiving 360 minutes of speech/language services. As such, the School District has failed to implement the Student's IEP. This is a material violation of the Student's IEP and as such, is a violation of the IDEA. "A material failure 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.” *Van Duyn v. Baker School District*, 502 F.3d 811, 822 (9th Cir. 2007).

Turning to whether the School District implemented the Student’s January 7, 2025, IEP in math and written expression. The Special Education Teacher testified that the Student was in her room between 11:00 am and 12:00 pm each day to work on writing and from 1:00 pm to 1:30 pm each day they worked on math. Calculating those minutes in a given week, the Student received 300 minutes of writing and 150 minutes of math in the Special Education Teacher’s room each week. The January 7, 2025, IEP provided that the Student would receive 150 minutes of written expression/behavior each week and 150 minutes of math/behavior each week. As such, this Hearing Officer finds that the School District implemented the Student’s January 7, 2025, IEP by providing the required special designed instruction in math and written expression.

The Student’s January 7, 2025, IEP provided that the Student would receive certain supplementary aids and services such as a word bank, use of a multiplication chart, a graphic organizer, verbal cues, and frequent breaks. The provision of these supplementary aids and services and the frequency and location of those services were not amended in the May 14, 2025, IEP. No testimony was presented nor documentary evidence admitted regarding whether those supplementary aids and services were provided to Student. No testimony was presented nor documentary evidence admitted regarding what was meant by “specific instruction strategies, assistive technology, or other supports” and attempts at the pre-hearing conference to clarify those issues were unsuccessful because the Parent would not participate in the discussion, simply saying that he would not repeat himself. As such, this Hearing Officer finds that the parties have abandoned this issue and makes no decision regarding it.

B. Did the School District deny the Student a FAPE by failing to provide a Prior Written Notice on or about May 14, 2025?

This Hearing Officer finds that the School District did not provide the Parent with written notice of the May 14, 2025, meeting to amend the Student's IEP, however, that failure is a procedural violation. A school district's compliance with the procedural safeguards set forth in the IDEA is "essential to ensuring that every eligible child receives a FAPE, and those procedures which provide for meaningful parental participation are particularly important." (*Amanda J. v. Clark County School District*, 267 F.3d 877, 891 (9th Cir. 2001)). Though a school district may have engaged in a procedural violation of the IDEA, not every procedural violation will be the denial of a FAPE to a student. *Amanda J.*, 267 F.3d at 892. However, where the procedural violation of the IDEA results in the "loss of educational opportunity" or "seriously infringes the parents' opportunity to participate" in the process or "caused a deprivation of educational benefits" the procedural violation is a denial of a student's FAPE. *Id.* (citing *W.G. v. Board of Trustees of Target Range School District No. 23*, 960 F.2d 1479, 1484 (9th Cir. 1992) and *Roland M. v. Concord School Committee*, 910 F.2d 983, 994 (1st Cir. 1990)).

34 C.F.R. §300.322(a)(1) and (2) require a school district to provide notice of a meeting regarding a student's IEP to the parents of the students early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed upon time. 34 C.F.R. §300.503(a) requires a school district to provide written notice of the school district's refusal or intent to initiate or change the identification, evaluation, or educational placement of a student or the provision of FAPE. Such notice must be provided to the parent in a reasonable time before such action. In this case, the School District provided written notice of the January 7, 2025, meeting and the reason for the meeting. The School District also provided its Notice of Intent to

Implement IEP on January 7, 2025. The School District did not provide the Parent with a written notice of the May 14, 2025, IEP meeting, however, the Parent attended the May 14, 2025, meeting and participated in the development of the IEP. No written notice as required by 34 C.F.R. §300.503(a) was provided at the May 14, 2025, IEP meeting.

No testimony or documentary evidence was admitted that indicated that the failure of the School District to provide written notice of the May 14, 2025, meeting impacted the Parent's ability to attend or participate in the meeting. The Parent attended the meeting, participated, and assisted in the development of the IEP. Additionally, no testimony or documentary evidence was admitted that indicated that the failure of the School District to provide written notice of its intent to amend the January 7, 2025, to add the speech/language services resulted in a loss of educational opportunity for the Student or infringed on the Parent's opportunity to participate in the process. As such, this Hearing Officer finds that the School District did not deny the Student a FAPE by failing to provide notice of the May 14, 2025, meeting or its intent to revise the IEP to include speech/language services.

V. DECISION AND ORDER

Based on the above Findings of Fact and Conclusions of Law, this Hearing Officer's decision is that the School District:

1. Denied the Student a FAPE by failing to implement the Student's IEP by failing to provide specially designed instruction in speech/language.
2. Did not deny the Student a FAPE by failing to implement the Student's IEP by failing to provide specially designed instruction in math or written expression.

3. Did not deny the Student a FAPE by failing to provide prior written notice of the May 14, 2025, meeting or intent to revise the Student's IEP to add speech/language services.

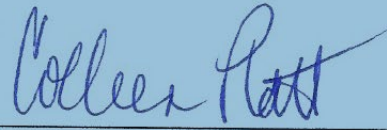
IT IS HEREBY ORDERED that the School District shall provide 360 minutes of speech/language services on or before December 31, 2025². These 360 minutes of speech/language services are in addition to any speech/language services the Student's IEP requires.

VI. NOTICE OF RIGHT TO APPEAL

Any party aggrieved by this Decision has the right to appeal within thirty (30) days of the receipt of this decision by filing with the Nevada Department of Education, Superintendent of Public Instruction, a notice of appeal which identifies the specific findings and conclusions being appealed and forwarding a copy of the notice of appeal to the other parties within 30 days after receiving the decision. A party to the hearing may file a cross appeal by filing a notice of cross-appeal with the Superintendent which identifies the specific findings and conclusions being appealed and forwarding a copy of the notice of cross appeal to the other parties within 10 days after receiving notice of the initial appeal. At the parties' request, this decision is being delivered to the parties both by e-mail and U.S. Postal Service. Receipt of this Decision and Order will be determined by either the date of actual delivery, or the date of the first attempt to deliver, by the U.S. Postal Service.

² At the time of the May 14, 2025, meeting and subsequent to that meeting, the Director 1 offered to provide speech/language services to the Student in an amount that equaled the number of minutes that the Student did not receive. Since the Student did not receive speech/language services for 6 months, at 60 minutes per month, that is 360 minutes that were not received by Student.

Date: August 18, 2025

A handwritten signature in blue ink that reads "Colleen Platt". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Colleen Platt
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