

**COMPLAINT INVESTIGATION
CLARK COUNTY SCHOOL DISTRICT
(#CL030413A)**

Report Issued on 05/17/13

INTRODUCTION

On 03/04/13, the Nevada Superintendent of Public Instruction received a Complaint dated 02/28/13 alleging systemic violations by the Clark County School District (CCSD) with respect to a blanket policy prohibiting Individualized Education Program (IEP) Teams from determining appropriate disability related educational services, specifically one-to-one paraprofessional aides for individual children based on their individual, unique needs.

The Complainant alleged that the CCSD's blanket policy with regard to one-to-one aides has violated and continues to violate several provisions of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq.; and 34 C.F.R. Part 300, and the Nevada Administrative Code (NAC), Chapter 388, specifically:

- 1) The CCSD prohibits IEP Teams from determining one-to-one (hereinafter one-on-one) aides for students based on their individual needs and including it in the students' IEPs;
- 2) The CCSD only allows floater aids and then an administrator assigns them to classrooms and the administrator determines the amount of time/day and the length of stay. The administrator often pulls the floater from the classroom because he/she is needed elsewhere; and
- 3) The amount of time for the commencement of the aide services can vary. Sometimes the delay in getting an aide can be weeks, in spite of the needs of the student.

Both the IDEA and the NAC permit an extension of the 60-day timeline to conduct the investigation and issue the written decision if exceptional circumstances exist with respect to a particular complaint. (34 C.F.R. §300.152(b); NAC, §388.318(5)(a)) The Complainant requested additional time to submit documentation in support of the Complaint. The Nevada Department of Education (NDE) determined this request was an exceptional circumstance warranting an extension, and granted an extension pursuant to the IDEA and the NAC.

COMPLAINT ISSUES

The allegations in the Complaint raised the following issues under the jurisdiction of the NDE to investigate for the time period 03/04/12 - 03/04/13.

Issue One: Whether the CCSD's policies and procedures with respect to the determination of the provision of one-on-one aides to students complied with the IDEA and the NAC, Chapter 388, specifically did the policies and procedures:

- a) **Require determination of the need for a one-on-one aide to be made by the IEP Team?**
- b) **Require the decision to be individually determined based on the student's unique needs?**

Issue Two: Whether the CCSD's policies and procedures complied with the IDEA and the NAC, Chapter 388, with regard to the availability of designated one-on-one aides as soon as possible following the development of the IEP?

PERSONS PROVIDING INFORMATION

The investigation team reviewed information received from the following people:

- Complainant
- CCSD personnel, including administrators from the Compliance and Monitoring Office and two Area Special Education Directors (CCSD Administrators)

DOCUMENTS REVIEWED

The documents reviewed in the investigation included the following:

1. The Complaint and supplemental documentation provided by the Complainant, including the individual parent statements
2. CCSD: Student Support Services Division Special Education Procedures Manual (on the USB Drive)
3. CCSD: IEP Process Presentation-Section 10
4. CCSD: Student Support Services Division, Back to School Edition 2011-2012
5. CCSD: Directions for Paraprofessional Requests Process for 2012-2013: Temporary Paraprofessional Requests Process for 2012-2013
6. CCSD: Fast FAQs Transportation Aide Requirement (2007) and Individualized Education Program Guidelines (December 2012)
7. CCSD: Submission - Current database of students with one-on-one adult assistants
8. CCSD: Submission - Copies of students' IEPs accommodations corresponding to the database
9. CCSD: Supplemental information in response to the complaint investigation team's questions and documentation of the paraprofessional hiring process for randomly selected students

It is important to note that while the Complainant provided some student specific information (FOF #10) in the complaint process, this Complaint did not include allegations and facts regarding noncompliance with respect to a specifically identified child or children; but rather alleged systemic noncompliance. (34 C.F.R. §300.153; 109 LRP 41916 (OSEP 2009)) As such, the student specific information was considered relative to the systemic complaint and the scope of this investigation was limited to the issues set forth above. The conclusions in this Report with

regard to the systemic allegations of noncompliance do not, however, preclude an individual parent(s) from filing a State Complaint regarding an alleged violation of the IDEA or NAC, Chapter 388, or a Due Process Complaint with regard to their child's receipt of a free appropriate public education.

FINDINGS OF FACT

Issue One—Determination of Need for One-on-One Aide

1. The following sets forth the CCSD's written policies and procedures with regard to the IEP Team's determination of a student's need for one-on-one adult assistance¹:
 - a. If a student requires adult assistance, it is included in the section of the IEP for Supplementary Aids and Services. (IEP Process Presentation-Section 10)
 - b. CCSD's IEP Process Presentation on Supplementary Aids and Services states: "Be specific when noting when adult assistance is necessary." "Do not use the term "1 on 1 aide" when referring to adult assistance." (IEP Process Presentation-Section 10)
 - c. CCSD's IEP Process Presentation on Supplementary Aids and Services states: "The frequency of services must be clear to the parent and the IEP team." "The location of services describes where the supplementary aids and services will be provided....school wide may be appropriate if the implementation occurs in all settings..." (IEP Process Presentation-Section 10)
 - d. "[A]ll accommodations and modifications are an IEP team decision considering disability-related needs." (The section of the question and answer document on IEP accommodations and modifications includes supplemental aids and services). (CCSD Fast FAQs Individualized Education Program Guidelines (December 2012), pg. 8)
2. The term "adult assistance" or "adult supervision" in a student's IEP denotes a school district employee, which includes either a teacher or paraprofessional. (CCSD supplemental information)
3. CCSD has three different kinds of paraprofessional aides: program aides; child-specific aides; and floater aides. The floater aides are assigned by the Area Special Education Directors throughout the area based on need. (CCSD Administrators)
4. If the school determines there is a need for a new hire of a paraprofessional to implement a student's IEP, there is a Paraprofessional Request process that is student specific. The administrator from the school completes the Paraprofessional Request form. The

¹ The cited CCSD policies, procedures, and practices during the time period of the Complaint remained in effect at the time of this Report, and therefore may be variously referred to in the present tense in this Report for ease of reading.

Paraprofessional Request Submission process requires two levels of approval for the new hire to be processed. (CCSD Directions for Paraprofessional Requests Process for 2012-2013; clarification from CCSD Administrators; review of students' IEPs and documentation of new hires)

5. As of February 6, 2013, for school year 2012-2013, there were 89 IEPs designating adult assistance/supervision that resulted in 88 one-on-one paraprofessionals in the CCSD assigned to specific students for the designated activities in the student's IEP requiring adult assistance. (One aide was assigned to two siblings in the same location) (CCSD: Submission - current database of students with one-on-one adult assistants; clarification by CCSD Administrators)
6. In the development/revision of the statement of the service of adult assistance in students' IEPs, IEP Teams are instructed to consider the service(s) the student requires and for what activity and to include that determination in the student's IEP. (CCSD Administrators)
7. If an IEP Team determines a student requires adult assistance that must be one-on-one, it is the expectation of CCSD that the IEP would reflect that level of service only through the need for adult assistance for specified activities. It is the position of the CCSD that for students who require one-on-one adult assistance, the students' IEPs are not required to include this level of specificity in the statement of the service of adult assistance for the identified activities. CCSD believes that the need for one-on-one adult assistance would be discernible to the CCSD administrator(s) in the administrative review of the IEP for allocation of resources. (CCSD Administrators)
8. It is the position of the CCSD that the determination of whether a paraprofessional must be assigned to implement the designated adult assistance activities to the student is not the role of the IEP Team, but rather is an administrative determination of the allocation of resources based on the administrative review of the student's IEP and existing resources available in the school and classroom. (CCSD Administrators)
9. The IEPs for the students with designated one-on-one aides in the time period of the Complaint all included frequency and location of services. In addition to the description of the support of adult assistance in the IEPs for specific activities, approximately 6 of the 89 IEPs included the specificity of the need for that assistance one-on-one. Approximately 15 IEPs used modifiers such as "direct", "intense", "close", "constant", "all activities of daily living" or "at all times". The remaining IEPs used the term "adult assistance" associated with the activities. The absence of specificity, including the examples of modifiers, included several IEPs designating adult assistance to ensure safety in all school environments for the student or others. (CCSD: Submission - Copies of students' IEPs)
10. Individual parents reported they had requested the provision of a one-on-one aide for their child in IEP meetings and the requests were denied by the CCSD and not recorded, including one parent who indicated the CCSD IEP Team members informed the parent

that they could not make the decision. No other statements or other documentation were provided on the determination of adult assistance or the allegation of the untimely commencement of services. (Complaint and supplemental information)

Issue Two—Availability of Designated One-on-One Aides

11. The following sets forth the CCSD's policies and procedures with regard to the timeline for the implementation of a student's IEP:
 - a. "An IEP must be implemented as soon as possible following its development. There can be no undue delay in providing special education and related services to the student." (CCSD Special Education Procedures Manual, section 7.5.2(b))
 - b. "An IEP must be implemented as soon as possible following its development. In exceptional circumstances, there may be a short delay, such as when the IEP meeting is held during summer break, a vacation period or when transportation is being arranged. A reasonable time for working out transportation arrangements is three to five days. However, there can be no undue delay in providing special education and related services to the student." (CCSD Special Education Procedures Manual, section 7.8.6)
 - c. "An IEP must be implemented as soon as possible following its development. There can be no unreasonable delay in providing special education and related services to the student." (CCSD Special Education Procedures Manual, section 8.1.1(c))
12. Upon the inclusion of adult assistance in a student's IEP and a request to the Area Director of Special Education for an assigned one-on-one paraprofessional to augment staff, a floater aide will be assigned to implement the adult assistance in the student's IEP. (CCSD Administrators and supplemental information)
13. The process for a new paraprofessional hire (FOF #4) to implement the IEP will follow, if necessary. The period of time for the approval process and engagement of the new paraprofessional is longer than the assignment of a floater aide and, for at least one student, the approval process was more than two months. (CCSD Directions for Paraprofessional Requests Process for 2012-2013; clarification from CCSD Administrators; review of student's IEPs and documentation of new hires)

CONCLUSIONS OF LAW / RATIONALE

Issue One: Whether the CCSD's policies and procedures with respect to the determination of the provision of one-on-one aides to students complied with the IDEA and the NAC, Chapter 388, specifically did the policies and procedures:

- a) **Require determination of the need for a one-on-one aide to be made by the IEP Team?**

- b) **Require the decision to be individually determined based on the student's unique needs?**

Introduction

The Complainant alleged that the CCSD has a blanket policy prohibiting IEP Teams from determining students require one-on-one aides based on their individual needs. A blanket exclusion that inhibits an IEP Team's full consideration of the educational needs of each child with disabilities would be a violation of the IDEA's individualization requirement. (17 EHLR 419 (OSEP 1990)); Hoefl v. Tucson Unified School District, (967 F.2d 1298; 19 IDELR 1 (9th Cir. 1992))

To be clear from the outset, students with disabilities in the CCSD had assigned one-on-one aides during the time period of this Complaint. Contrary to the allegation of the Complainant that the CCSD only has floater aides, the CCSD has three different kinds of paraprofessional aides: program aides; child-specific aides; and floater aides. The floater aides are assigned by the Area Special Education Directors based on need. (FOF# 3) As of February 6, 2013, for school year 2012-2013, there were 88 child-specific one-on-one aides in the CCSD. These 88 paraprofessionals were assigned to 89 children for the designated activities in the students' IEPs requiring adult assistance. (One aide was assigned to two siblings in the same location) (FOF # 5)

The focus of the Complaint, and, therefore this Report, was whether the CCSD's process for determining whether a student with a disability needed a one-on-one aide was violative of the IDEA and NAC. As a preliminary matter it is important to clarify that the CCSD utilizes the terminology "adult assistance" or "adult supervision" (hereinafter referred to as adult assistance) rather than aide in students' IEPs. (FOF #1b) The term adult assistance in a student's IEP denotes a school district employee, which could be either a teacher or paraprofessional. (FOF #2)

"Part B does not mandate the staffing levels or type of staff to be used in particular types of classes....State and local education agencies may adopt policies and procedures in addition to the Part B requirements so long as those policies and procedures are consistent with Part B." (23 IDELR 834 (OSEP 1995)) If the assigned personnel are qualified to perform the designated service, the allocation of qualified personnel to provide the services of an adult assistant is the administrative discretion of the agency. (Cheryl Blanchard v. Morton School District et al., 54 IDELR 277 (9th Cir. 2010) This is an unpublished decision. Other unpublished decisions in accord prior to 2007: Gellerman v. Calavaras Unif. Sch. Dist., 37 IDELR 125 (9th Cir. 2002) and Zasslow v. Menlo Park City School District (38 IDELR 187 (9th Cir. 2003))

The provision of qualified personnel is the responsibility of the CCSD (34 C.F.R. §§300.156 and 300.201), and that was not at issue in this Complaint. It is the position of the CCSD that the determination of whether a paraprofessional must be assigned to implement the designated service of adult assistance is not the role of the IEP Team. Rather, the CCSD asserts it is an administrative determination on the allocation of resources based on the administrative review of the student's IEP and existing resources available in the school and classroom. (FOF #8) The

IDEA, 34 C.F.R. §300.320, and the NAC §388.284, as well as the model IEP forms provided by the United States Department of Education and the NDE, do not require this level of detail in a student's IEP. The complaint investigation team concurs that the allocation of qualified personnel is the discretion of the CCSD. Therefore, this investigation was limited to whether the CCSD's policies and procedures required the determination of the need for one-on-one adult assistance (rather than the professional staffing level) for a student with disabilities to be individually determined by the student's IEP Team based on the student's unique needs.

Blanket Policy Prohibiting IEP Teams' Determination of One-on-One Adult Assistance?

The determination of the specific special education and related services and supplementary aids and services a student requires must be made on an individual basis by the IEP Team. (NAC §388.284(1)(c); 34 C.F.R. §300.320(a)(4); 58 IDELR 168 (OSEP 2011)) It is the child's unique needs that are the basis for an IEP Team's decision regarding the provision of services that are appropriate for the individual child. (58 IDELR 168 (OSEP 2011); 33 IDELR 249 (OSEP 2000); 37 IDELR 126 (OSEP 2002); Discussion of the IDEA regulations: 71 Fed. Reg. pp. 46540, 46549 (Aug. 14, 2006))

Adult Assistance

The CCSD's policies and procedures consistently require that the individualized determination of whether a student needs adult assistance must be made by the student's IEP Team. (FOF #1) Further, the CCSD requires IEP Teams to be specific when noting when the adult assistance is necessary. The frequency of the service of adult assistance "must be clear to the parent and the IEP Team" and the location of the service must describe where the service will be provided. (FOF #s 1b - 1c)

With regard to the statement of the service of adult assistance in students' IEPs, the CCSD instructs IEP Teams to consider the service the student requires and for what activity and the frequency and location of services and to include that determination in the student's IEP. If a student requires adult assistance, it is included under the supplementary aids and services component of the student's IEP. (FOF #1a) Therefore, the CCSD's policies and procedures require the determination of a student's need for adult assistance be made by the IEP Team and individually determined by the Team based on the student's unique needs in accordance with the IDEA and the NAC. (NAC §388.284(1)(c); 34 C.F.R. §300.320(a)(4))

One-on-One

While the need for adult assistance for a student is individually determined by the student's IEP Team, who decides whether the required adult assistance must be one-on-one? The CCSD's policies and procedures do preclude IEP Teams from including individualized determinations in a student's IEP when the specific adult assistance required by the student rises to the level of requiring one-on-one assistance. To be clear, IEP Teams are not precluded from discussing whether a student requires one-on-one adult assistance, rather it is the CCSD's expectation that the IEP would reflect that level of service only through the stated need for adult assistance for specific activities and not in the statement of the service of adult assistance itself. (FOF #7)

Of the 89 IEPs of students with assigned one-on-one paraprofessionals, it was the complaint investigation team's determination that only approximately 24% of those IEPs conveyed a level of service that evidenced the IEP Team's clear attempt to communicate the student's need for one-on-one adult assistance. Notwithstanding the preclusion policy, approximately 6 IEPs for the 89 students included the specificity of the need for one-on-one assistance. Approximately 15 IEPs included modifiers such as "direct", "intense", "close", "constant", "all activities of daily living" or "at all times" to describe the level of adult assistance. The remaining IEPs merely used the term "adult assistance" associated with the activities. The absence of specificity, including the examples of modifiers, included several IEPs designating adult assistance to ensure safety in all school environments for the student or others. (FOF #9)

As discussed previously, the complaint investigation team agreed that the determination of whether a paraprofessional must be assigned to provide the adult assistance and the resultant allocation of resources are within the purview of the CCSD, and nothing in this Report should be interpreted otherwise. However, the complaint investigation team diverges on the CCSD's position that an IEP Team should not specifically describe the adult assistance for an individual student as one-on-one if the Team determines the unique needs of the student rise to the level of requiring such one-on-one service.

Specific Statement

How specific does the statement of the special education and related services, supplementary aids and services, and program modifications or supports need to be under the IDEA, 34. C.F.R. §300.320(a)(3) and NAC §388.284(1)(c)? In effect, the content of the IEP should be as complete as required by the individual child's needs. "Each child's IEP team is responsible for determining how each required component of the IEP... will be reflected in the child's IEP." (21 IDELR 1183 (OSEP 1994)) The delineation of services to be provided is one of the primary purposes of the IEP. Therefore, the IEP must include a statement of the specific service(s) to be provided to the student that is appropriate to the service and clearly stated in the IEP in a manner that can be understood by all involved in the development and implementation of the IEP, including the level of the agency's commitment of resources. (Discussion of the IDEA regulations: 71 Fed. Reg. pg. 46667 (Aug. 14, 2006)); 17 EHLR 287 (OSEP 1990); 23 IDELR 834 (OSEP 1995); 17 EHLR 1180 (OSEP 1991); 211:17 EHLR (OSEP 1978); 211:145 EHLR (OSEP 1979))

Based on the review of the IEPs for students with designated one-on-one adult assistance, the complaint investigation team determined that the IEP Team's decision that one-on-one adult assistance was needed by a student was not clear in the vast majority of the reviewed IEPs. On the contrary, the reader was required to extrapolate from the number and kind of activities, occasional modifiers, and the frequency and location of the services whether, taken together, 'tipped the balance' toward the student requiring such assistance one-on-one. This does not meet the standard set forth above that the statement of the specific services to be provided to the student and the level of the agency's commitment of resources must be clear to parents and other members of the IEP Team.

It is well established that "...entitlement to FAPE under the Act includes the provision of special education and related services in accordance with an IEP." (Discussion of the IDEA regulations:

71 Fed. Reg. pg. 46664 (Aug. 14, 2006); see also NAC §388.281(6)(g)) In this case, the absence of a clear statement of the service of adult assistance may result in members of the IEP Team having varying interpretations of the committed level of adult assistance services in an IEP and, even if the IEP Team concurs on the level of service, the CCSD administrator(s) responsible for allocation of staff may interpret otherwise. For example, without more, a student's IEP requiring adult assistance could be implemented either one-on-one or in a group of varying sizes, so long as the student receives adult assistance. While for one student that may be appropriate and, therefore, further clarity is not required, precluding an IEP Team from specifically designating one-on-one adult assistance in a student's IEP when the IEP Team determines the level of service rises to that need is an impermissible blanket exclusion.

The CCSD's policy/practice of precluding an IEP Team from designating adult assistance as one-on-one if the Team determined the specific assistance required by the student rose to the level of requiring one-on-one assistance has impermissibly "interfered with decisions of the IEP team about the child's educational needs and the services that the school would provide to meet those needs." (A Guide to the Individualized Education Program Office of Special Education and Rehabilitative Services U.S. Department of Education, July 2000)

Therefore, the complaint investigation team concluded that while the CCSD's policies and procedures for the determination of the need for adult assistance to be made by the IEP Team and individually determined based on the student's unique needs were in accordance with the IDEA and the NAC (NAC §388.284(1)(c); 34 C.F.R. §300.320(a)(4)), the policies and procedures did not comply with regard to the preclusion of an IEP Team's designation of adult assistance as one-on-one when the specific assistance required by the student rose to the level of requiring one-on-one assistance.

Issue Two: Whether the CCSD's policies and procedures complied with the IDEA and the NAC, Chapter 388, with regard to the availability of designated one-on-one aides as soon as possible following the development of the IEP?

In accordance with the IDEA, 34 C.F.R. §300.323(c)(2), as soon as possible following the development of a student's initial IEP, special education and related services must be made available to the student in accordance with the IEP. The NAC §388.281(6)(e) requires not only the initial IEP to be implemented as soon as possible after the IEP meeting consistent with the IDEA, 34 C.F.R. §300.323(c), but requires that all IEPs be implemented as soon as possible after they are developed.

Nevada law, regulations, and guidelines do not define "as soon as possible" in this context. However, in the discussion of the 1999 IDEA regulations, the United States Department of Education provided guidance on the interpretation of this term:

"It would not be appropriate to add an outside timeline under §300.342(b) for implementing IEPs, especially when there is not a specific statutory basis to do so. However, with very limited exceptions, IEPs for most children with disabilities should be

implemented without undue delay following the IEP meetings described in §300.342(b)(2).

There may be exceptions in certain situations. It may be appropriate to have a short delay (e.g., (1) when the IEP meetings occur at the end of the school year or during the summer, and the IEP team determines that the child does not need special education and related services until the next school year begins); or (2) when there are circumstances that require a short delay in the provision of services (e.g., finding a qualified service provider, or making transportation arrangements for the child).

If it is determined, through the monitoring efforts of the Department, that there is a pattern of practice within a given State of not making services available within a reasonable period of time (e.g., within a week or two following the meetings described in §300.343(b)), this could raise a question as to whether the State is in compliance with that provision, unless one of the exceptions noted above applies." (64 Fed. Reg. pg. 12579 (March 12, 1999))

← state compliance for enforcing a violation.

JIS?

CCSD's written policies and procedures require the implementation of an IEP as soon as possible following its development in accordance with the IDEA, 34 C.F.R. §300.323(c)(2), and the NAC §388.281(6)(e). (FOF #11a) The CCSD's policies and procedures also prohibit any "undue delay" in providing the special education and related services to the student while noting that there may be a short delay for exceptional circumstances, such as when the IEP meeting is held during the summer break, a vacation period or when transportation is being arranged. (FOF #11b)

Operationally, as described previously, the CCSD has three different kinds of paraprofessional aides: program aides; child-specific aides; and floater aides. (FOF# 3) If a student requires a one-on-one paraprofessional, the CCSD may assign any of these qualified aides to provide the adult assistance set forth in the student's IEP. While the process to recruit and engage a new paraprofessional hire, if needed, may cause delay in the implementation of adult assistance services, the CCSD has a practice of assigning a floater aide to implement the services of one-on-one adult assistance while awaiting any needed new paraprofessional hires. (FOF #s 12-13) This operational procedure of assigning an interim floater aide is certainly the CCSD's discretion and creatively addresses the potential delay of finding a new qualified service provider.

Notwithstanding the compliant policies and procedures, did the CCSD engage in a pattern of practice of violating the required timely provision of aide services? The Complainant alleged that the timeline for the commencement of aide services can vary and sometimes the delay in getting an aide for a student can take "weeks". The Complainant did not provide any individual parent statements or other documentation supporting the allegation of the untimely commencement of aide services. (FOF #10)

As discussed above, the United States Department of Education's example for the reasonable period of time for services to be made available to a student as soon as possible and without undue delay following the IEP meeting is "within a week or two." Further, one of the acknowledged exceptions that may require a delay beyond a week or two is the circumstance of

finding a qualified service provider. Given the Complainant's allegation is limited to an occasional delay of "weeks" to commence services for some children, the alleged cited practice is neither unlawful on its face nor raises a systemic pattern of practice that evidenced the CCSD's failure to timely provide one-on-one adult assistance services consistent with the IDEA, 34 C.F.R. §300.323(c)(2), and the NAC §388.281(6)(e).

Therefore, the complaint investigation team concluded that the CCSD's policies and procedures complied with the IDEA and the NAC, Chapter 388, with regard to the availability of designated one-on-one adult assistants as soon as possible following the development of the IEP.

ORDER FOR CORRECTIVE ACTION

CCSD is required to take corrective action to address the violation found in this Complaint investigation. Specifically, the CCSD's policies and procedures failed to comply with federal and state requirements by the preclusion of IEP Teams from designating adult assistance as one-on-one if the Team determines the unique needs of the student rise to the level of requiring such one-on-one service.

Professional Development/Training

Within 30 days of the receipt of this report, the CCSD must develop and submit to the NDE a proposed Correction Action Plan (CAP). The proposed CAP must:

1. Include a timeline and plan to review and revise, as necessary, district policies and procedures with regard to the level of specificity in the statement of services for students with disabilities who require one-on-one adult assistance for designated activities.
2. Provide professional development on these revised policies and procedures to, at minimum, special education teachers and administrators in the district who are involved in IEP meetings.

The CAP must be approved by the NDE prior to implementation. Following adoption of the revised policies as referenced above, a copy must be provided to the NDE within 30 days of completion.