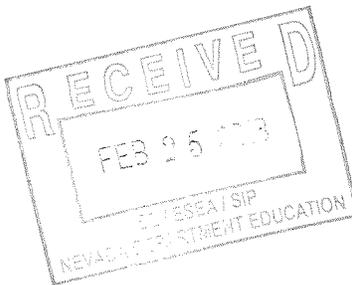


February 21, 2013



Marva Clevon  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701

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Dr. Linda E. Young, Member

Dwight D. Jones, Superintendent

Re: Clark County School District Complaint #CL062112 – Proposed Correction Action Plan

Dear Ms. Clevon:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Complaint #CL101812, the Department has mandated that certain corrective actions be taken by the Clark County School District (CCSD or District). Included in that mandate was to review and revise the CCSD's policies and procedures to comply with applicable federal and state law as follows:

1. eliminate the blanket exclusion of Intensive Intervention Services (IIS) as a required service if a student requires IIS in order to receive a Free Appropriate Public Education (FAPE),
2. ensure District initial evaluations and reevaluations are conducted consistent with applicable requirements with respect to the need for IIS,
3. ensure a timely consideration by District IEP teams of the results of an evaluation/reevaluation with respect to the need for IIS, and
4. provide IIS, as soon as possible, following a student's IEP meeting at no cost to parents.

### **Proposed Corrective Action**

#### ***Plan with Timeline:***

1. On or before June 30, 2013, CCSD will review and revise its written policies and procedures regarding the provision of IIS to eliminate the blanket exclusion of other eligibility categories if a student requires IIS in order to receive a FAPE.
2. On or before June 30, 2013, CCSD will review, and if appropriate, revise its written policies and procedures to conduct initial evaluations and reevaluations concerning the need for IIS consistent with federal and state requirements.
3. On or before June 30, 2013, CCSD will review and revise its timelines, as appropriate, for the consideration of IIS.

4. On or before June 30, 2013, CCSD will review and revise its timelines, as appropriate, regarding the provision of IIS within a reasonable period of time following a Student's IEP meeting, which will be provided at no cost to parents.

***Professional Development and Timeline***

1. On or before September 30, 2013, the CCSD will develop a plan for implementation of any revisions to its policies and procedures concerning IIS and train all appropriate staff within 90 days.

***Transition Plan and Timeline***

1. On or before September 30, 2013, the CCSD will develop a transition timeline, subject to NDE approval.
2. CCSD proposes a transitional period from September 30, 2013 through June 30, 2014 to fully implement any revision to current procedures based on this proposed corrective action plan, which includes (a) professional development, (b) compliance with parents' due process rights consistent with federal and state law and (c) the revision of the aforementioned policies and procedures.

At your earliest convenience, please provide the District with a brief written statement signifying approval of this proposed CAP or any revisions needed. Upon approval, the CCSD will implement the correction actions and provide the NDE with the appropriate documentation for completion.

If you have any questions concerning the proposed corrective action plan, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,



Kim Wooden  
Chief Student Services Officer

- c. Annie Amoia  
Dwight Jones  
Michael Harley  
Kristine Minnich  
Pat Skorkowsky

# STUDENT SUPPORT SERVICES DIVISION

5100 WEST SAHARA AVENUE • LAS VEGAS, NV 89146 • (702) 799-5471 • FAX (702) 799-5043



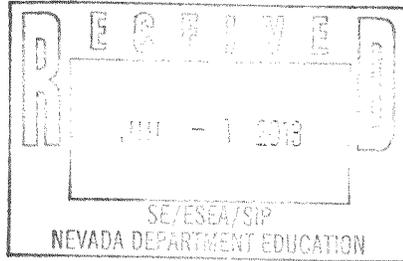
## CLARK COUNTY SCHOOL DISTRICT

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Pat Skorkowsky, Superintendent

June 26, 2013



Marva Cleven  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701

Re: Clark County School District Complaint #CL062112 - Corrective Action Plan Implementation

Dear Ms. Cleven:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Complaint #CL062112, Clark County School District (CCSD) has reviewed its written policies and procedures. As a result, the Intensive Intervention Services (IIS) Protocol has been eliminated. As of August 1, 2013, the following procedures will be eliminated:

1. *the blanket exclusion of IIS as a required service if a student requires IIS in order to receive a Free Appropriate Public Education (FAPE), and*
2. *the limiting provision of IIS to students enrolled in full-day instructional programs and ESY and excluding the provision of IIS at the initial provision of special education and related services rather than requiring the decision of whether a student required IIS to be individually determined.*

As of August 1, 2013, CCSD will adhere to the FAPE standard so as to address services for students with disabilities by providing a basic floor of opportunity for students to receive meaningful benefit from their educational experience.

As of August 1, 2013, consistent with FAPE standards, CCSD will:

1. ensure District initial evaluations and reevaluations are conducted consistent with applicable requirements with respect to the need for IIS,
2. ensure a timely consideration by District IEP teams of the results of an evaluation/reevaluation with respect to the need for IIS, and
3. establish the timely provision of IIS, within a reasonable period of time, following a student's IEP meeting at no cost to parents.

CCSD will adhere to the Individuals with Disabilities Education Act (IDEA) and the Nevada Administrative Code (NAC) assessment procedures when considering individual student needs. In addition, CCSD will provide a FAPE consistent with the individual needs of students.

*Transition Plan*

The CCSD will implement the following transition plan:

1. Effective August 26, 2013, students initially determined eligible to receive IIS will have their tutors paid by a third party payor.
2. Those parents who elect to continue receiving reimbursement will be given the option to do so with the understanding that, no later than January 21, 2014, all tutors will be paid by a third party payor.
3. On or before January 21, 2014, any parent currently receiving reimbursement for their tutors, will transfer to the third party payor process. The tutors will be subject to a background check and the third party payor procedures and requirements.
4. Parents will continue to be able to select their own tutors. The selected tutors will be subject to a background check and third party payor procedures and requirements.
5. By the end of the 2013-2014 school year, **all** tutors will be paid by the third party payor.

*Professional Development*

1. On or before September 30, 2013, the CCSD will develop a plan for professional development and implementation of aforementioned revisions to its policies and procedures concerning IIS and train all appropriate staff within 90 days.

The CCSD will implement the aforementioned corrective action plan and provide the NDE with the appropriate documentation for completion.

If you have any questions concerning the proposed corrective action plan, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,



Kim Wooden  
Chief Student Services Officer

- c. Annie Amoia  
Mike Barton  
Michael Harley  
Kristine Minnich  
Pat Skorkowsky

DALE ERQUIAGA  
Superintendent of Public Instruction

RORIE FITZPATRICK  
Deputy Superintendent

JULIA TESKA  
Deputy Superintendent for  
Business and Support Services

STATE OF NEVADA



SOUTHERN NEVADA OFFICE  
9890 S. Maryland Parkway  
Las Vegas, Nevada 89183  
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SATELLITE OFFICE  
ADDRESSES/MAPS  
<http://www.doc.nv.gov>

DEPARTMENT OF EDUCATION  
700 E. Fifth Street  
Carson City, Nevada 89701-5096  
(775) 687 - 9102 · Fax: (775) 687 - 9101

September 4, 2013

Michael Harley, Compliance and Monitoring Officer  
Clark County School District  
5100 West Sahara Avenue  
Las Vegas, NV 89146

Dear Mr. Harley:

I am in receipt of your June 26, 2013 correspondence(s) regarding the Correction Action Plan timeline for Complaints #CL061212 and #CL101812. The following items need to be addressed regarding the timeline:

- 1. Professional Development activities should occur no later than December 17, 2013 to meet the obligation of making corrections within one year of the notice of noncompliance.*
- 2. Parents who are currently receiving reimbursement for their tutors and who are **not** electing to receive the reimbursement should have the option of utilizing the third party payor system upon their request and no later than December 17, 2013.*

For those parents electing the reimbursement option, the timeline to get them moved by the end of the school year is acceptable. However, all parents involved should be notified of their options. I will await the documentation showing the changes to policy and procedure as of August 1, 2013 along with the documentation that indicates you have notified parents of the options they have regarding the reimbursement system. I look forward to the submission of the Professional Development Plan by September 30, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Marva Cleven".

Marva Cleven, State Special Education Director  
Office of Educational Opportunity

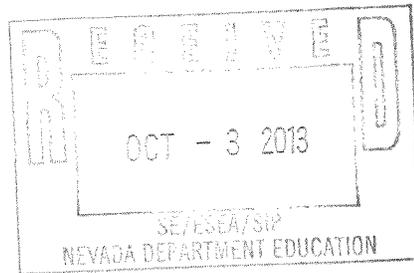
C: Annie Amoia  
Mike Barton  
Amy Benham-Munoz  
Kristine Minnich  
Pat Skorkowsky

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Par Skorkowsky, Superintendent

September 27, 2013



Marva Cleven  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701

Re: Clark County School District Complaint #CL062112 - Corrective Action Plan  
Professional Development Timelines and Transition Plan

Dear Ms. Cleven:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Complaint #CL062112, Clark County School District (CCSD) has reviewed its written policies and procedures. Per the correspondence received from the NDE on September 4, 2013, the following items needed to be addressed:

1. *Professional Development activities should occur no later than December 17, 2013 to meet the obligation of making corrections within one year of the notice of noncompliance.*
2. *Parents who are currently receiving reimbursement for their tutors and who are **not** electing to receive the reimbursement should have the option of utilizing the third party payor system upon their request and no later than December 17, 2013.*

*Professional Development*

The CCSD has completed or will be completing trainings with the Student Services Division personnel (i.e., Speech Language Pathologists, School Psychologists, Child Find, Administration, etc.) on the implementation of the revised IIS procedures prior to December 17, 2013.

*Transition Plan*

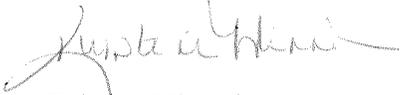
As of September 3, 2013, the CCSD distributed letters to parents of students who participate in the Intensive Intervention Services (IIS) program regarding the transition to the third party payor system. Please see the attached letter.

Ms. Cleven  
Page 2 of 2  
September 27, 2013

The CCSD will continue to implement the aforementioned corrective action plan and provide the NDE with the appropriate documentation for completion.

If you have any questions concerning the proposed corrective action plan, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,



Kristine Minnich  
Assistant Superintendent

abm

Enclosure

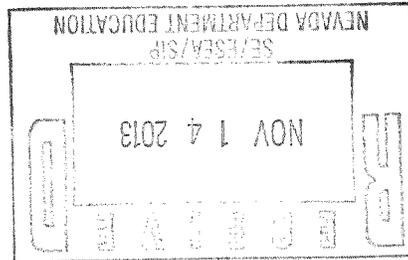
- c. Annie Amoia
- Mike Barton
- Michael Harley
- Pat Skorkowsky
- Kim Wooden

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Pat Skorkowsky, Superintendent

November 8, 2013



Marva Clevon  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701

Re: Clark County School District Complaint #CL062112 – Corrective Action Plan – Extension Request

Dear Ms. Clevon:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Complaint #CL062112, Clark County School District (District) submitted the requested Corrective Action Plan (CAP) on June 26, 2013 as well as additional documentation to support the CAP on September 27, 2013. The District respectfully requests to amend the CAP submitted with respect to the proposed transition plan timeline for the reasons set forth below.

Recently, the Legal Aid Center of Southern Nevada (LACSN) expressed a concern on behalf of one or more of their clients concerning the District's proposed third party billing agent, PCG-PPL, to pay parents' tutors directly. Specifically, LACSN is alleging that their clients (e.g., parents of students with autism who receive Individual Intervention Services/in-home tutoring), are objecting to being considered an employer and having to submit information to PCG-PPL that will be reported to the Internal Revenue Service (IRS). In an effort to address the parents' concerns, the District respectfully requests that it be permitted to amend its CAP to provide parents with another alternative option, which will include an extended transition plan timeline.

For those parents who do not wish to use PCG-PPL as a third party payor, the District will allow these parents instead to elect the option of having Individual Intervention Services delivered directly in their child's classroom beginning January 20, 2014.

*Transition Plan*

November 2013– January 20, 2014

- Notification to parents regarding transition and options.
- Parents who choose school based service option will have an IEP revision.
- School based IIS staff hired and trained.

January 21, 2014

- School based services begin for students whose parents opted for this service type.

Ms. Cleven  
November 8, 2013  
Page 2 of 2

January –June 2014

- All new students with initial Individual Intervention Services in their IEP will access the school based model.
- All current IIS students where the re-evaluation determines continued need, the parents will again have the option of home based or school based services.

September 2014-June 2015

- All new students with Individual Intervention Services in their IEP will access the school based model.
- All current IIS students where the re-evaluation determines continued need, will be transitioned to the school based model.
- Therefore, **beginning the 2015-2016 school year**, all students with IIS in their IEP will be accessing services on the school based model.

Option A – Home Based Model

As part of the transition process, parents will have the option to continue to have services in their home by selecting their Individual Intervention Services program tutors, and consultant. Programs will continue to be supervised by CCSD out of district providers, (Autism Partnership and Lovaas). Parents will continue to register with PCG-PPL and tutors will be paid directly through PCG-PPL, at no cost to the parent.

- Begins January 21, 2014 and concludes January 2015.
  - **Suggestion for revision:** Begins January 21, 2014 and concludes June 2015. For example, students who have an IEP in March of 2014 are will be given the choice for option A and will not transition to B until March of 2015.

Option B – School Based Model

Parents may elect to have their students' IIS conducted in the school setting during the school day beginning January 2014. The District will provide tutors and supervise service delivery as per student IEPs.

The District is requesting approval from the NDE to amend the CAP to add Option B for parents who do not wish to participate in the third party payor process.

If you have any questions concerning the proposed corrective action plan, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,



Michael S. Harley, Esq. (IL)  
Compliance Officer

abm

c: Annie Amoia  
Mike Barton  
Kristine Minnich  
Pat Skorkowsky  
Kim Wooden

DALE A.R. ERQUIAGA  
*Superintendent of Public Instruction*

STATE OF NEVADA

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Las Vegas, Nevada 89183  
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JULIA TESKA  
Deputy Superintendent  
Business and Support Services



DEPARTMENT OF EDUCATION  
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<http://www.doe.nv.gov>

January 7, 2014

Michael Harley, Compliance Officer  
Student Services Division  
Office of Compliance and Monitoring  
Clark County School District  
5100 West Sahara Avenue  
Las Vegas, NV 89146

RE: Clark County School District Complaint #CL062112 and #CL101812

Dear Mr. Harley :

Thank you for your correspondence dated November 8, 2013, in which you have requested approval from the Department to amend the CAP to add Option B – School Based Model for parents who do not wish to participate in the third party payor process.

The Department grants your request to add Option B – School Based Model as this option also corrects the non-compliance findings per #CL062112 and #CL101812.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Marva Cleven". The signature is fluid and cursive.

Marva Cleven, State Special Education Director  
Education Programs Supervisor  
Office of Educational Opportunity

c: Annie Amoia  
Mike Barton  
Kristine Minnich  
Pat Skorkowsky  
Kim Wooden

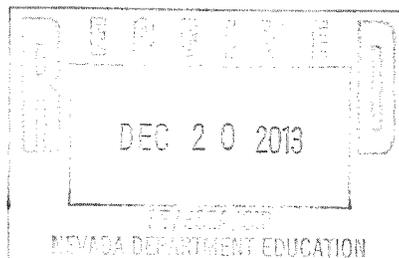
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Pat Skorkowsky, Superintendent

December 16, 2013

Marva Cleven  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701



Re: Clark County School District Complaint #CL062112 – Corrective Action Plan Extension  
Parent reimbursement/Third party payor system

Dear Ms. Cleven:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Compliant #CL062112, Clark County School District (CCSD) has complied with the following item per correspondence to the NDE on November 26, 2013:

1. *Professional Development activities should occur no later than December 17, 2013 to meet the obligation of making corrections within one year of the notice of noncompliance.*

CCSD is requesting a short extension to the following item:

2. *Parents who are currently receiving reimbursement for their tutors and who are not electing to receive the reimbursement should have the option of utilizing the third party payor system upon their request and no later than December 17, 2013.*

Regrettably, the District, as much as we would have liked to, will not be able to comply with the December 17, 2013 deadline due to concerns raised by Legal Aid Center of Southern Nevada and the amount of time it has taken to negotiate the third party payor contract, agree upon its terms and obtain the Board of Trustees approval.

CCSD is requesting this extension for implementation of the Corrective Action Plan for the following reasons:

1. CCSD had to stop the implementation of the originally proposed third party payor plan to address concerns raised by Legal Aid Center of Southern Nevada.

Ms. Cleven  
Page 2 of 2  
December 16, 2013

2. Most importantly, delays have occurred due to contractual negotiations with PCG, the third party payor. CCSD does anticipate the Board of Trustees to approve the negotiated contract with PCG on January 9, 2014.

Currently, CCSD has a total of fifty-eight (58) families that are utilizing the reimbursement program. CCSD anticipates the implementation of the third party payor system with PCG to begin February 1, 2014.

Per our previous correspondence dated November 8, 2013, CCSD is requesting approval from the NDE for an extension of time to February 1, 2014 to implement the third party payor process.

If you have any questions concerning the proposed corrective action plan, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,



Kristine Minnich  
Assistant Superintendent

abm

- c. Annie Amoia
- Mike Barton
- Tyler Hall
- Michael Harley
- Carlos McDade
- Donna Mendoza Mitchell
- Pat Skorkowsky
- Kim Wooden

STUDENT SERVICES DIVISION

5100 West Sahara Avenue • Las Vegas, NV 89146 • (702) 799-5471 • FAX (702) 799-5043



CLARK COUNTY  
SCHOOL DISTRICT

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Pat Skorkowsky, Superintendent

January 28, 2014

Marva Clevon  
State Special Education Director  
Nevada Department of Education  
700 E. Fifth Street, Suite 113  
Carson City, NV 89701

Re: Clark County School District Complaint #CL062112 - Corrective Action Plan- Additional Parent Seminar

Dear Ms. Clevon:

Pursuant to a complaint to the Nevada Department of Education (NDE) regarding a special education concern, Complaint #CL062112, Clark County School District (CCSD) has complied with the NDE mandated Corrective Action Plan. Per inquiries from the NDE and as a good faith gesture, CCSD is offering parents the opportunity to participate in an all-day seminar conducted by CCSD staff on Saturday, April 26, 2013. Limited child care will be available for students up to age twelve (12) years. The seminar will include several sessions that parents can choose to attend throughout the day. The type of sessions that may be available could include a variety of topics, such as, food issues, toileting, behavior, IEPs, community resources, reinforcement development and social/sexual issues.

Parents will be informed several weeks in advance of this seminar by letters sent to the Teacher of Record for their children as well as through a direct letter sent to parents currently participating in the Individual Intervention Services. If you have any questions concerning the implementation of these activities, please contact Amy Benham-Munoz, Compliance Monitor, at (702) 799-1020.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristine Minnich".

Kristine Minnich  
Assistant Superintendent  
Student Services Division

abm

c. Annie Amoia  
Mike Barton  
Michael S. Harley  
Carlos McDade  
Pat Skorkowsky  
Kim Wooden

RECEIVED  
JAN 31 2014  
OFFICE OF  
EDUCATIONAL OPPORTUNITY

**Subject:** Parent Seminar

**Date:** Monday, February 10, 2014 3:30:56 PM Pacific Standard Time

**From:** Kristine Minnich

**To:** Marva Clevon

**CC:** Michael S. Harley, Cynthia J. Mccray

Good afternoon, Marva,

Per our conversation regarding the amended CAP, the Clark County School District has chosen to provide parents an opportunity to participate in a seminar that will offer a variety of topics addressing issues that impact families of students with autism. Options will include the following topics:

- Food issues
- Toileting
- Behavior
- Individualized Education Program
- Community resources
- Reinforcement development
- Social/sexual issues

Recognizing the time constraints of parents and desiring to offer timely and meaningful content, we have coordinated this opportunity as one full-day seminar. It is anticipated that the seminar will bridge the gap between school and home for both students and parents. Student outcomes are increased when the targeted skills are taught at school and in the home. CCSD is mindful that child care can be challenging for parents of children with special needs. As such, limited child care will be available at the seminar. Additionally, one make-up session will be offered to parents who are not able to attend the scheduled seminar.

CCSD is excited about this opportunity and looks forward to continuing our partnership with parents on meeting the needs of students. Please feel free to contact me if you have any questions or need additional information. Thank you.

Kristine Minnich, Assistant Superintendent  
Student Services Division  
Clark County School District  
5100 W. Sahara  
Las Vegas, NV 89146  
Phone (702) 799-5471  
Fax (702) 799-2835