

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER: 2328.06  
COMPLAINT INVESTIGATOR: Brian Simkins  
DATE OF COMPLAINT: April 27, 2006  
DATE OF REPORT: May 26, 2006  
REQUEST FOR RECONSIDERATION: n/a  
DATE OF CLOSURE: June 26, 2006

**COMPLAINT ISSUES:**

Whether the Frankton-Lapel Community Schools and the Hamilton-Boone-Madison Special Services Cooperative violated:

511 IAC 7-27-4(a)(3) by failing to convene the student's case conference committee meeting at the request of the parent.

**FINDINGS OF FACT:**

1. The Student, 17 years old, is identified as having a learning disability, and has been determined eligible for special education and related services.
2. The Complainants allege that the Student's Teacher of Record was first contacted by telephone on April 12, 2006, to schedule a case conference committee (CCC) meeting. The Complainants further allege that they called subsequent times on April 14, 16, 17, 18, 21, 24, and 26, 2006, in order to have a CCC meeting scheduled.
3. The Teacher of Record's parent contact log indicates that she spoke with one of the Complainants at the School on April 19, 2006. The Complainant advised the Teacher of Record that he wanted to schedule a CCC meeting and that the meeting should be scheduled on a Wednesday between the hours of 11:00 a.m. and 1:00 p.m. The Teacher of Record agreed to schedule the CCC meeting.
4. According to the parent contact log, the Complainants called the Teacher of Record on April 21, 2006, inquiring if the CCC meeting had been arranged. On April 24, 2006, the Teacher of Record contacted the Complainants to see if they were available to convene the CCC on April 26, 2006. The Complainants advised that April 26<sup>th</sup> would not work. It was then agreed that the CCC meeting would be scheduled for May 1, 2006, at 10:30 a.m.
5. The Student's CCC meeting convened on May 1, 2006. Before the CCC could engage in discussion, the social worker who accompanied the Complainants advised that the CCC could not convene in the absence of the Director of Special Education (the CCC meeting included the Principal, Assistant Principal, Teacher of Record, and a general education teacher). The social worker also insisted that all of the Student's general education teachers needed to be present. At that, the Complainants left the CCC meeting. Another CCC meeting has been scheduled for May 18, 2006.

**CONCLUSION:**

Findings of Fact #2 through #5 indicate that the School has complied with the requirements to convene a CCC meeting upon the parent's request and schedule a meeting at a mutually agreed-upon date and time. Therefore, a violation of 511 IAC 7-27-4(a)(3) is not found.

**The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.**