

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER: 2341.06  
COMPLAINT INVESTIGATOR: Joe Bear  
DATE OF COMPLAINT: June 6, 2006  
DATE OF REPORT: June 30, 2006  
REQUEST FOR RECONSIDERATION: n/a  
DATE OF CLOSURE: July 29, 2006

**COMPLAINT ISSUES:**

Whether Culver Community School Corporation and Joint Educational Services in Special Education (JESSE) violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by not:

- Checking the assignment notebook of the student;
- Allowing the student to meet with a guidance counselor regarding passing or failing the Graduation Qualifying Examination (GQE); and
- Posting the student's grades on the online grade report for the school.

**FINDINGS OF FACT:**

1. The Student, 19 years old, has been identified as having a learning disability and has been determined eligible for special education and related services. The Student graduated with a diploma in May 2006.
2. The Student's IEP dated November 15, 2005, calls for the Student to have an assignment notebook or homework log that includes clear, concise directions and timelines. It was the Student's responsibility to fill in assignments from his classes.
3. The School could not document that the Student's assignment notebook was checked by his teachers. Although the Special Education Teacher stated that she checked it almost daily during the second semester, the teacher could not verify that assignments the Student had written down were correct. There is no documentation of the assignment notebook being filled in by the Student before February 27, 2006.
4. Many of the Student's entries in the assignment notebook concern activities that took place in the Student's classroom, rather than assignments that he was expected to complete. Examples of the Student's entries: "English 12 – w/s (worksheet) done it in class / Government – talked about current events / English 11 – did ex. 19 and 21 in class" and "English 12 – w/s in class / Government – talked about term papers and watched a movie, also he said quiz tomorrow / English 12 – turned in essays."
5. The Complainant alleged that the Student's guidance counselor did not meet with him during the 2005-2006 school year, even after he had failed to pass the Graduation Qualifying Exam. The Student's IEP does not call for the Student to meet with a guidance counselor.

6. The Student's IEP does not require that the Student's grades be posted on the online grading system.
7. The Complainant and the School agree that the Student's grades were posted on the online grade report. Both acknowledge that errors were made regarding specific grades, and that the errors were brought to the School's attention. The parties disagree on whether the errors, which were caused by a substitute teacher learning the online grading system, have been corrected.

**CONCLUSIONS:**

1. Finding of Fact #3 indicates that there is no documentation that the Student's assignment notebook was checked by a teacher to ensure that assignments were written with clear, concise directions and timelines, as required. Finding of Fact #4 indicates that the Student's entries included few directions and timelines. Therefore, a violation of 511 IAC 7-27-7(a), with respect to the checking of the assignment notebook, is found.
2. Finding of Fact #5 indicates that the IEP does not require a meeting with the guidance counselor. Therefore, a violation with respect to this issue is not found.
3. Finding of Fact #6 indicates that the IEP does not require that the Student's grades be posted online. Therefore, a violation with respect to this issue is not found.

**The Department of Education, Division of Exceptional Learners, requires corrective action based on the Findings of Fact and Conclusions listed above.**

**CORRECTIVE ACTION:**

Culver Community School Corporation and JESSE shall provide an assurance statement that they will implement IEPs as they are written. Provide the assurance statement to the Division by July 31, 2006.