

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP-157-2007
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: December 12, 2006
DATE OF REPORT: January 11, 2007
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: March 5, 2007

COMPLAINT ISSUES:

Whether the Linton-Stockton School Corporation and the Greene-Sullivan Special Education Cooperative violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by failing to provide an interpreter.

FINDINGS OF FACT:

1. The Student, 13 years old, is identified as a student with multiple disabilities, and has been determined eligible for special education and related services.
2. The Student's IEP dated January 30, 2006, indicates that the Student is to have ASL (American Sign Language) interpretation daily for four and a half hours.
3. The Student's interpreter from the previous school year did not come back for the 2006-2007 school year. During the spring/summer of 2006 the local school district made reductions of non-teaching staff and did not authorize to fill the position. At the beginning of the school year the Director of Special Education ensured that the Student's daily ASL interpretation needs were provided by the Hearing Impaired teacher, a qualified ASL interpreter, in addition to a trained paraprofessional assigned to assist the Student with communication signs and skills.
4. The School acknowledges that an interpreter has not been provided to the Student since the beginning of the 2006-2007 school year. The Student's case conference committee convened on October 24, 2006. The case conference notes show the Director of Special Education's acknowledgement that an interpreter was not provided.
5. At the case conference committee on October 24, 2006, the School offered compensatory services. The Complainant declined the services pending the results of an agreed upon additional evaluation conducted by the Indiana School for the Deaf. The case conference notes and IEP indicate that the Student will continue to receive ASL interpretation from the Hearing Impaired teacher.

CONCLUSION:

Findings of Fact #2 through #5 indicate that the School failed to provide an interpreter for the Student at the beginning of the 2006-2007 school year. Therefore, a violation of 511 IAC 7-27-7(a) has been found.

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

CORRECTIVE ACTION:

The Linton-Stockton School Corporation and the Green-Sullivan Special Education Cooperative shall:

Convene the Student's case conference committee to determine the Student's compensatory services based on the results and recommendations from the evaluation conducted by the Indiana School for the Deaf. A copy of the case conference report and IEP shall be submitted to the Division no later than February 16, 2007.