

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP-175-2007
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: February 8, 2007
DATE OF REPORT: April 5, 2007
REQUEST FOR RECONSIDERATION: na
DATE OF CLOSURE: May 10, 2007

COMPLAINT ISSUES:

Whether the Franklin Community School Corporation and the East Central Indiana Special Services violated:

511 IAC 7-21-2(b) by failing to ensure that speech language assistants providing speech therapy to students are working under the direction and supervision of a licensed speech language pathologist.

An extension of time until April 5, 2007, was granted by the Associate Superintendent on March 9, 2007.

FINDINGS OF FACT:

1. On January 11, 2007, the Division received a copy of a consumer protection complaint form filed with the Indiana Attorney General, Consumer Protection Division. The consumer complaint was filed anonymously. On February 8, 2007, the Division, pursuant to its general supervisory authority under Part B of the Individuals with Disabilities Education Act (IDEA), made the decision to initiate an investigation.
2. According to the consumer protection complaint, the specific allegation is that Speech Language Assistant (SLA) (A) and Speech Language Assistant (B) are not being supervised by the certified Speech Language Pathologist (SLP) (A).
3. Since November 3, 2006, speech services are provided to Franklin Community School Corporation by two speech language pathologists and two speech language assistants. SLP (A) and (B) are employed one day per week by Franklin Community School Corporation. SLA (A) and (B) are full-time employees and are appropriately licensed. Both SLAs have a bachelor's degree in communication disorders. SLP (A) supervises SLA (A) and SLP (B) supervises SLA (B). At the start of the 2006-2007 school year, until November 3, 2006, both SLAs were supervised by SLP (A).
4. SLP (A) and SLA (A) provide speech services at two school buildings. SLP (A) is teacher of record for 82 students between these two school buildings. SLP (B) and SLA (B) provide speech services in three different school buildings within the district. SLP (B) is teacher of record for 107 students who attend the three buildings. The SLAs provide speech/language services to identified students under the direction of the SLPs. They also document student progress toward IEP goals and objectives.
5. Both SLPs conduct speech/language evaluations and interpret the results, develop individualized education program (IEP) goals and objectives, participate in case conference committee meetings, and directly supervise the SLAs on the one day per week that they are employed by the school district. The SLPs also provide indirect supervision of the SLAs via telephone contact and e-mail as needed on

other days of the week. The School has now arranged for the SLPs and SLAs to meet as a group and collaborate on the school district's teacher professional development days.

6. The supervision log for SLP (A) indicates 20 hours of observation; 22 hours of consultation; 4.5 hours of training; and 43 e-mails regarding caseloads and reports from September 8, 2006, to March 9, 2007. The supervision log of SLP (B) indicates 14 hours of observation; 20 hours of consultation; and 7.5 hours of training from November 3, 2006, to March 2, 2007.
7. Prior to November 3, 2006, SLP (A) supervised both SLAs, and was teacher of record for over 100 students. On November 3, 2006, SLP (B) began supervising SLA (B). As of March 16, 2007, SLP (A) is teacher of service (and teacher of record) for 22 students and teacher of record for 60 students. SLP (B) is teacher of service (and teacher of record) for 56 students and teacher of record for 51 students.

CONCLUSION:

Findings of Fact #2 through #7 indicate that the School did not fail to ensure that the speech language assistants are working under the direction and supervision of a licensed speech language pathologist. Therefore, a violation of 511 IAC 7-21-2(b) 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.