

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP-183-2007
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: March 2, 2007
DATE OF REPORT: March 29, 2007
REQUEST FOR RECONSIDERATION: na
DATE OF CLOSURE: May 10, 2007

COMPLAINT ISSUES:

Whether the Logansport Community School Corporation and the Logansport Area Joint Services violated:

511 IAC 7-27-4(a)(5) by failing to convene the case conference committee within 10 instructional days of the enrollment date of a student who has been receiving special education in another district within the state.

511 IAC 7-27-7(c)(3) by failing to implement the student's individualized education program (IEP) immediately upon enrollment from another district from within the state.

FINDINGS OF FACT:

1. The Student, 19 years old, is identified as a student with a mild mental disability, and has been determined eligible for special education and related services.
2. On December 19, 2006, the School learned that the Student was being transferred from another state hospital and admitted to the Logansport State Hospital with a current IEP. Due to the School's winter break (December 22, 2006, to January 2, 2007), 10 instructional days elapsed on or about January 12, 2007.
3. A case conference committee meeting was scheduled for February 5, 2007, but was cancelled due to weather. The case conference committee convened on February 27, 2007, and determined what services the Student will receive.
4. The Student's IEP dated February 27, 2007, indicates that beginning March 2, 2007, the Student will receive four hours of weekly services in the subjects of English/Language Arts and Math. The services are provided by a teacher from the Logansport Community School Corporation. The IEP does not indicate whether and to what extent compensatory services were discussed or offered by the School.

CONCLUSIONS:

1. Findings of Fact #2 and #3 indicate that the School failed to convene the case conference committee within 10 instructional days of learning that the Student had been admitted to the State Hospital. Therefore, a violation of 511 IAC 7-27-4(a)(5) is found.
2. Finding of Fact #4 indicates that the case conference committee determined services for the Student and that those services started on March 2, 2007. The School failed to implement the Student's IEP

upon admittance to the State Hospital on December 19, 2006. Therefore, a violation of 511 IAC 7-27-7(c)(3) is 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 Logansport Community School Corporation and the Logansport Area Joint Special Services Cooperative shall:

Convene the Student's case conference committee to determine the amount of compensatory services that shall be provided to make up for the delay in the provision of services since about the start of school after the winter break on January 3, 2007. A copy of the case conference report and revised IEP shall be submitted to the Division no later than **May 4, 2007**.