

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP185-2007
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: March 7, 2007
DATE OF REPORT: April 5, 2007
REQUEST FOR RECONSIDERATION: n/a
DATE OF CLOSURE: July 13, 2007

COMPLAINT ISSUES:

Whether the Marion Community Schools and the Grant County 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 implement assistive technology services including training of personnel, as required by 511 IAC 7-21-6(g)(6).

FINDINGS OF FACT:

1. The Student, 13 years old, is identified as a student with a moderate mental disability, and has been determined eligible for special education and related services.
2. The Student's IEP dated December 1, 2006, indicates that the Student is to utilize a single plate switch to activate computer games for 30 minutes a day, and to utilize the Intellitools alternative keyboard for 20 minutes a day.
3. The School and the Complainant acknowledge that the agreed upon assistive technology has been installed and is in working order as of March 19, 2007, which the School agrees is a delay in the provision of services. The School maintains that the Special Services Coordinator provided training to the Student's teacher on March 13, 2007, but cannot document that the training was provided. A March 20, 2007, case conference committee meeting has been rescheduled to discuss compensatory services.

CONCLUSION:

Findings of Fact #2 and #3 indicate that the School failed to implement the Student's IEP with respect to the provision of assistive technology services. Training of school personnel in the use of assistive technology is included in the requirements for assistive technology services at 511 IAC 7-21-6(g)(6). Therefore, a violation of 511 IAC 7-27-7(a) 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:

Marion Community Schools and the Grant County Special Education Cooperative shall:

Convene the case conference committee to determine compensatory services for the Student. Provide a compensatory services plan as part of the Case Conference Report and send the report and revised IEP to the Division no later than **May 11, 2007**.

Provide specialized training to the Student's classroom teacher on the utilization of the assistive technology devices. The training shall involve the Special Services Coordinator and the Student's teacher of record. Documentation describing the training and who was in attendance shall be submitted to the Division no later than **May 11, 2007**.