

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER: CP-196-2007  
COMPLAINT INVESTIGATOR: Brian Simkins  
DATE OF COMPLAINT: March 27, 2007  
DATE OF REPORT: April 25, 2007  
REQUEST FOR RECONSIDERATION: n/a  
DATE OF CLOSURE: June 14, 2007

**COMPLAINT ISSUES:**

Whether the Benton Community School Corporation and the Cooperative School Services 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 the required amount of speech therapy.

**FINDINGS OF FACT:**

1. The Student, 12 years old, is identified as a student with autism spectrum disorder and a communication disorder, and has been determined eligible for special education and related services.
2. On or about September 9, 2006, the Student's speech therapist was granted a request to transfer to a teaching position. Both the school district and the special education planning district actively searched for a new speech therapist to fill the open position. In the meantime, one of the School's other speech therapists provided as much speech and language services to as many students as possible. A new speech therapist was hired on December 18, 2006, to begin in January 2007.
3. The IEP dated March 14, 2006, indicates that the Student is to receive 240 minutes per month for a total of 1,920 minutes from mid-August 2006 to March 13, 2007. The School acknowledges, and documentation indicates that the Student needs at least 1,240 minutes of compensatory speech services.

**CONCLUSIONS:**

Findings of Fact #2 and #3 indicate that the School failed to provide the required amount of speech therapy to the Student. 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:**

Convene the case conference committee to determine the exact amount of compensatory speech services the Student is owed, and how that time will be made up. A copy of the Case Conference Report and revised IEP shall be submitted to the Division no later than **June 1, 2007**.