

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER: CP-244-2008  
COMPLAINT INVESTIGATOR: Bobbie Ritz  
DATE OF COMPLAINT: August 14, 2007  
DATE OF REPORT: September 10, 2007  
REQUEST FOR RECONSIDERATION: No  
DATE OF CLOSURE: January 9, 2008

**COMPLAINT ISSUES:**

Whether the Monroe Central School Corporation and the Greater Randolph Interlocal 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 assign the Student an instructional assistant.

**FINDINGS OF FACT:**

1. The Student is fifteen years old, in the ninth grade, and was determined eligible for special education and related services as a student with an emotional disability.
2. On April 5, 2006, while the Student was in the seventh grade, the CCC met to develop the Student's IEP for the 2006-2007 school year. The IEP notes the Student has difficulty with attention and organization, due in part to his ADHD, and needs modifications for support in these areas, as well as the area of behavior. The IEP states that modifications were required in order for the Student to meet his educational goals. The CCC notes indicate that the Student completed more of his work when a teaching assistant began accompanying the Student to class. However, the IEP does not indicate the Student required an instructional assistant. Instructional accommodations listed in the April 5, 2006 IEP do indicate that supervision during transition activities or passing time will be provided as needed until the Student proves he can do so responsibly.
3. The Student transferred into the Monroe Central School Corporation on February 20, 2007, while in the eighth grade. The Complainant signed a Permission for Temporary Placement form on February 19, 2007 to place the Student in a special education program in anticipation of the receipt of school records and additional evaluations which may be necessary.
4. The CCC met on March 22, 2007 to discuss move-in, annual IEP review, and transition (Secondary/Post-Secondary). The Student's IEP was reviewed and revised and did not indicate the Student required the services of an instructional assistant. The Complainant signed that she understood and agreed with the recommendations of the CCC.

**CONCLUSIONS:**

1. Findings of Fact #2 and #4 indicate the Student's IEPs dated April 5, 2006 and March 22, 2007, did not specify the Student required the services of an instructional assistant. Therefore, the School did not fail to implement the Student's IEP as written, specifically by

failing to assign the Student an instructional assistant. Therefore, no violation of 511 IAC 7-27-7(a) is found.

**The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.**