

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP-251-2008
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: August 27, 2007
DATE OF REPORT: September 26, 2007
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: November 19, 2007

COMPLAINT ISSUES:

Whether the MSD Warren Township violated:

511 IAC 7-21-7(b) by failing to ensure that a student with a disability is provided transportation to school.

FINDINGS OF FACT:

1. The Student, 16 years old, is identified as a student with a learning disability, and has been determined eligible for special education and related services.
2. The Student's individualized education program (IEP) dated March 14, 2007, indicates that the case conference committee determined that the Student's transportation needs did not require special transportation services as a related service. In addition, the IEP indicates that the case conference committee determined that the Student's transit time did not exceed that of non-disabled peers.
3. The Complainant had voiced concerns about the Student's bus stop location. During the course of this investigation, the School moved the Student's bus stop closer to home.

CONCLUSION:

Finding of Fact #2 indicates that the School did not fail to provide transportation to school for the Student. Therefore, a violation of 511 IAC 7-21-7(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.