

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: CP 279-2008
COMPLAINT INVESTIGATOR: Brenda Alyea
DATE OF COMPLAINT: October 15, 2007
DATE OF REPORT: November 13, 2007
REQUEST FOR RECONSIDERATION: N/A
DATE OF CLOSURE: December 13, 2007

COMPLAINT ISSUES:

Whether the M S D Shakamak Schools and the Greene-Sullivan 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 provide voice recognition software at home and at school.

FINDINGS OF FACT:

1. The Student, 14 years old, is identified as a student with a learning disability, and has been determined eligible for special education and related services.
2. An IEP dated January 31, 2007, stated that "Evaluation requested for assistive technology needs/options for writing output and also for reading," and "Assistive Technology Evaluation signed to be completed."
3. An occupational therapy/assistive technology evaluation was completed April 12, 2007 with the recommendation that the Student "might benefit" from voice recognition software.
4. The IEP dated May 8, 2007, indicated, under Special Education Services, that "Voice Recognition Software Program and headsets will be available and implemented..."
5. The school acknowledges that the Voice Recognition/Speech Recognition software has not been accessible for the Student at home or at school for the period of time after May 8, 2007 (School Year 2006-2007) or to date during the School Year 2007-2008.

CONCLUSIONS:

1. Finding of Fact # 5 indicates that the school failed to implement the Student's IEP dated May 8, 2007, with regard to the provision of voice recognition software. 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:

The M S D Shakamak Schools and the Greene-Sullivan Special Education Cooperative shall submit the following to the Division, **no later than November 28, 2007:**

1. Documentation indicating that the software has been installed and is being utilized both at school and home.
2. Documentation (a copy of the IEP and case conference report) that a case conference committee has been convened no later than November 21, 2007 to discuss and make provision for compensatory services.