

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	CP-315-2008
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	December 21, 2007
DATE OF REPORT:	January 18, 2008
REQUEST FOR RECONSIDERATION:	N/A
DATE OF CLOSURE:	April 16, 2008

COMPLAINT ISSUES:

Whether the Indianapolis Public Schools 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 speech services.

FINDINGS OF FACT:

1. The Student, nine years old, is a student with autism spectrum disorder, and has been determined eligible for special education and related services. The Student attends a local private school.
2. The Student's IEP dated April 19, 2007, indicates that the Student is to receive speech services one time per week for 30 minutes. The IEP also indicates that the Student is to receive special transportation from the private school to the local public elementary school nearby for speech services.
3. The School acknowledges that the Student has not received any speech services during the 2007-2008 school year. This is due to significant issues the School is having with the local transportation department and its ability to arrange for a contracted transportation service to reliably transport the Student. As a result, the Student has missed 17 speech sessions this school year.
4. The Student's case conference committee convened on December 6, 2007, to discuss these issues and revise the IEP. The case conference committee re-convened on December 11, 2007, and developed a revised IEP, that included compensatory services equal to the 17, 30 minute speech sessions, and the services would be provided at the private school. There is no documentation indicating whether and to what extent the School has begun to provide the required speech services in addition to the compensatory services.

CONCLUSION:

Findings of Fact #2 through #4 indicate that the School failed to implement the Student's IEP as written, specifically with respect to the required speech services. 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 Indianapolis Public Schools shall:

Submit documentation (for example, speech therapy logs) indicating that the required speech services are being provided, and documentation indicating that the compensatory speech services are also being provided. The documentation shall be submitted to the Division no later than **February 22, 2008**.