

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1527.00
COMPLAINT INVESTIGATOR: Steve Starbuck
DATE OF COMPLAINT: February 14, 2000
DATE OF REPORT: March 3, 2000
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: April 3, 2000

COMPLAINT ISSUE:

Whether the Indianapolis Public Schools violated:

- 511 IAC 7-15-1 with regard to the School's alleged failure to ensure that the Student's suspensions from school did not exceed five consecutive instructional days or ten cumulative days in a school year.

FINDINGS OF FACT:

1. The Student is a twenty-year-old, ninth grade student who is eligible for special education and related services due to a learning disability.
2. From September 2, 1999, through February 16, 2000, the Student was suspended from school for twenty instructional days. The Director acknowledges that the Student has been suspended for more than ten cumulative days in a school year. None of the suspensions from school exceeded five consecutive instructional days.
3. The School did convene a case conference committee meeting upon the tenth day of suspension, and a behavior support plan was written with the goal of improving the Student's school attendance. There is no indication that any educational services were provided to the Student during the days he was suspended beyond the tenth instructional day.

CONCLUSION:

1. Findings of Fact #2 and #3 indicate the Student was suspended from school for more than ten cumulative days in a school year. Therefore, a violation of 511 IAC 7-15-1 is found.

The Department of Education, Division of Special Education, requires the following corrective action based on the Findings of Fact and Conclusion listed above.

CORRECTIVE ACTION:

The Indianapolis Public Schools shall:

1. In-service all appropriate staff regarding the limitations on suspending a student with a disability as

specified in 511 IAC 7-15-1. Submit documentation that this has been completed to the Division no later than Wednesday, April 5, 2000. The documentation should include a list or an agenda of all issues discussed, any handouts that were distributed, and a list of attendees by name and title.

2. Submit an assurance statement to the Division no later than Wednesday, April 5, 2000, indicating what steps (beyond in-service training) have been taken to prevent inappropriate suspensions of special education students from recurring in the future.
3. Reconvene a case conference committee meeting to review the behavior plan concerning the Student's school attendance and to determine the need for compensatory services. Submit to the Division no later than Wednesday, April 5, 2000, a copy of the Case Conference Summary Report and any revised IEP.