

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1666.00
COMPLAINT INVESTIGATOR: Sandie Scudder
DATE OF COMPLAINT: December 14, 2000
DATE OF REPORT: January 12, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: February 1, 2001

COMPLAINT ISSUES:

Whether the Valparaiso Community Schools and the Porter County Education Interlocal violated:

- 34 CFR 300.504(a)(2) with regard to the school's alleged failure to provide the parent with notice of procedural safeguards when sending the parent a notice of case conference committee meetings in May and June, 2000.

FINDINGS OF FACT:

1. The student ("Student") is 16 years old and determined eligible for special education and related services as a student with an Other Health Impairment and an Emotional Disability.
2. The Complainant states he did not receive the Notice of Procedural Safeguards with the Case Conference Notifications of the May and June, 2000, case conference committee ("CCC") meetings.
3. The School states that it is their practice to send the Notice of Procedural Safeguards along with the Case Conference Notification form, but they are unable to document that the Notice of Procedural Safeguards was included with the CCC notification for the May and June CCC meetings. However, the Complainant has received a copy of the procedural safeguards at other requisite times.

CONCLUSION:

Findings of Fact #2 and #3 indicate that there is no verification that the Complainant received a copy of the Notice of Procedural Safeguards along with the Case Conference Notification form for the May or June, 2000, CCC meetings. Therefore, a technical violation of 34 CPR 300.504(a)(2) has occurred.

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

CORRECTIVE ACTION:

The Valparaiso Community School Corporation and the Porter County Education Interlocal shall submit to the Division a letter of assurance that the CCC notification process has been reviewed to insure that all parents receive the Notice of Procedural Safeguards with the Case Conference Notification form. This shall be sent to the Division no later than January 31, 2001.