

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1758.01
COMPLAINT INVESTIGATOR: Brenda Alyea
DATE OF COMPLAINT: May 22, 2001
DATE OF REPORT: June 1, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: July 11, 2001

COMPLAINT ISSUES:

Whether the South Montgomery School Corporation and the West Central Indiana Special Services Cooperative violated:

511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's individualized program (IEP) as written, specifically:

- a. failing to provide identified services on the first day of summer school; and
- b. failing to implement the behavior program during the 2000-2001 school year.

FINDINGS OF FACT:

1. The student is nine years old and is eligible for special education and related services as a student with an emotional disability.
2. A Crane/Reynolds behavioral intervention plan was included in the student's IEP dated August 16, 2000. The plan included a personal aide and a behavior management program consisting of "impulse control sequences, point sheets, and identified rewards and consequences." The program was revised at CCC meetings convened on October 16, 2000, and January 17 and March 19, 2001. Documentation that the program was implemented was completed daily.
3. As the result of a mediation session, the school and the parent agreed that the student would participate in summer school from June 4 through June 28. Among the services to be provided as part of summer school are:
 - a. classroom participation from 7:45 a.m. until noon on Monday, Tuesday, Wednesday, and Thursday.
 - b. transportation to summer school; and
 - c. provision of an aide.
4. the parents assert the student was transported to school on June 4, arrived early, was not expected by the school, and did not have a classroom assigned. The parents also assert that, had it not been for an aide who knew the student, the student could have walked away from the school.
5. The school reports that when the student arrived at school on June 4, he was met by the aide and escorted to the appropriate classroom. The classroom teacher for summer school states the student attended the first day of summer school and participated in the classroom activities as scheduled.

CONCLUSIONS:

Findings of Fact # 3, # 4, and # 5, reflect that the student was to be transported to summer school, beginning June 4, 2001, and participate in the classroom with the provision of an aide., The student was transported, was met by the aide, and participated in the classroom as scheduled on June 4, 2001. Therefore, no violation of 511 IAC 7-27-7(a), is found with respect to summer school services.

Finding of Fact # 2, indicates the student's IEP included a Crane-Reynolds behavioral intervention plan that was implemented daily. Therefore, no violation of 511 IAC 7-27-7(a), is found with respect to implementation of the behavioral intervention plan.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: July 2, 2001