

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2103.04
COMPLAINT INVESTIGATOR:	Joe Bear
DATE OF COMPLAINT:	March 11, 2004
DATE OF REPORT:	April 7, 2004
REQUEST FOR RECONSIDERATION:	yes/revised April 30, 2004
DATE OF CLOSURE:	June 21, 2004

COMPLAINT ISSUES:

Whether Portage Township Schools and the Porter County Education Interlocal violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, or specifically, failing to provide the required amount of speech therapy.

FINDINGS OF FACT:

1. The Student is five years old and attends the local elementary school. The Student is eligible for special education as a student with a communication disorder.
2. When the school year began on August 25, 2003, the special education planning district was still in the process of finding a speech pathologist to serve students with communication disorders at the Student's school. On October 6, a speech language assistant was placed at the School, and according to the Special Education Supervisor, has been delivering services under the direction of a speech pathologist since that date. The speech therapy log indicates that actual services did not begin until at least October 30, 2003. At least six weeks of speech services were missed.

CONCLUSIONS:

1. Finding of Fact #2 indicates that speech therapy was not provided to the Student, as required by the IEP, for at least six weeks. Therefore, a violation of 511 IAC 7-27-7(a) has occurred. However, the School took voluntary correction action and compensatory services were accepted by the Complainants at a CCC meeting on April 2, 2004. Those services include six additional speech therapy sessions before the end of the school year and summer programming. The School and the Complainants have also arranged for an additional evaluation to take place within 60 school days of the CCC meeting. The Complainant consented to the additional evaluation and the compensatory services with her signature.

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