

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 2275.06
COMPLAINT INVESTIGATOR: Alexandra Curlin
DATE OF COMPLAINT: September 15, 2005
DATE OF REPORT: October 14, 2005
REQUEST FOR RECONSIDERATION: yes/not revised November 14, 2005
DATE OF CLOSURE: November 14, 2005

COMPLAINT ISSUES:

Whether the Brownstown Center Community School Corporation and the Orange, Lawrence, Jackson, Martin, Greene Joint Services violated:

511 IAC 7-21-7(d) by failing to inform the parent that she could be reimbursed for transporting the student to the school and by asking the parent to transport the student to school.

FINDINGS OF FACT:

1. The Student, eight years old, is identified as having orthopedic and visual impairments and a communication disorder and is eligible for special education.
2. All of the Student's IEP's from September 2000 through March 2005 identify transportation as a related service for the Student. In the "Related Services" section of the IEP there are four choices: (1) NA; (2) Bus (3) Parent Contract; and (4) Parent chooses to provide transportation. In each IEP, the fourth option is checked. Each of the IEPs are signed by the Complainant.
3. The signature of the IEP indicates that the signatory "agree[s] with the service(s) recommended and give[s] permission for implementation of the plan and [has] been given a verbal and written explanation of Parent Rights (Procedural Safeguards)."
4. In March 2005, the CCC met and the Complainant chose to transport the Student. On August 16, 2005, the CCC reconvened and the Complainant brought up reimbursement for transporting the Student. The Complainant and School agreed to reimburse the Complainant for transporting the Student in the 2005-2006 academic year.

CONCLUSIONS:

Finding of Fact #2 indicates that the School, through use of the IEP form, did inform the Complainant of the choices available regarding transportation. This finding in conjunction with Finding of Fact #3 also indicates that the option indicating that the Complainant chose to transport the Student was checked and that the Complainant agreed with the services to be implemented. Therefore, there is no violation of 511 IAC 7-21-7(d).

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