

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER: 2330.06  
COMPLAINT INVESTIGATOR: Brian Simkins  
DATE OF COMPLAINT: May 3, 2006  
DATE OF REPORT: June 2, 2006  
REQUEST FOR RECONSIDERATION: n/a  
DATE OF CLOSURE: June 30, 2006

**COMPLAINT ISSUES:**

Whether the MSD Pike Township and the West Central Joint Services violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by not providing the required one-on-one instructional assistant.

**FINDINGS OF FACT:**

1. The Student, 17 years old, is identified as a student with autism-spectrum disorder, and has been determined eligible for special education and related services.
2. The Student's IEP dated October 3, 2005, indicates that the Student will have a one-on-one instructional assistant in all classes on a daily basis. The IEP does not designate a specific individual to serve as the instructional aide.
3. On October 31, 2005, the School's Department Chair for Special Education reassigned the Student's one-on-one instructional aide to another special education student during the Student's first period math class. The Student's first period math class had an aide assigned to the Student's math teacher to provide assistance to all students in the math class, but no one-on-one instructional aide was specifically assigned to the Student during this period.
4. On November 1, 2005, the Complainant spoke with the Director of Special Education sharing her dissatisfaction with the reassignment of the Student's first period instructional aide. As a result of this conversation, the Director of Special Education contacted the Department Chair for Special Education and requested that the regular instructional aide be returned to the Student's first period class. The Complainant acknowledges that this request was accomplished the same day the Complainant brought the issue to the attention of the Director of Special Education.

**CONCLUSION:**

Findings of Fact #2 through #4 indicate that the School failed to provide the Student with a one-on-one instructional aide during the Student's first period class for only one school period before the Director of Special Education corrected the situation. Therefore, a violation of 511 IAC 7-27-7(a) is found, but no corrective action is required.

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