

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	CP-137-2007/2368.07
COMPLAINT INVESTIGATOR:	Alexandra Curlin
DATE OF COMPLAINT:	October 10, 2006
DATE OF REPORT:	October 31, 2006
REQUEST FOR RECONSIDERATION:	n/a
DATE OF CLOSURE:	November 28, 2006

COMPLAINT ISSUES:

Whether the Danville Community School Corporation and the West Central Joint Services violated:

511 IAC 7-27-7(a) by not implementing the Student's individualized education program (IEP), specifically by not providing the speech therapy required in the IEP.

FINDINGS OF FACT:

1. The Student, five years old has been identified as having an other health impairment and a communication disorder and is eligible for special education and related services.
2. The Student's IEP indicates that he is to receive sixty (60) minutes per week of speech via direct instruction beginning August 18, 2006.
3. The School acknowledges that the Student has yet to receive speech. The School cites the retirement of the building SLP as the reason for not being able to provide speech to the Student. The School has tried to replace the retiring SLP, but has been unsuccessful.
4. The School acknowledges that there are 47 similarly situated students. The School has sent letters to the parents of these Students informing them of the SLP's retirement and the gap in services. The School acknowledges that compensatory services will be owed to these students when an SLP is hired.

CONCLUSIONS:

Finding of Fact #3 indicates that the Student has not received the required amount of speech. Therefore a violation of 511 IAC 7-27-7(a) is found.

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

CORRECTIVE ACTION:

The Danville Community School Corporation and the West Central Joint Services shall convene a case conference to determine the amount of appropriate compensatory services and the manner in which they will be provided to the Student. As of the date the Complainant filed this complaint, the Student was entitled to 480 minutes (8 weeks at 60 minutes per week) of compensatory speech services. Submit the Student's case conference report and IEP documenting compliance with this corrective action by November 22, 2006.

The School shall also send documentation to the Division that the School has contacted all the students owed compensatory speech services and that the School has offered to those students the proper amount of compensatory service. Documentation of compliance with this corrective action shall be sent to the Division no later than November 22, 2006.