

Indiana Department of Education

Division of Exceptional Learners

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1861.02
COMPLAINT INVESTIGATOR:	John Hill
DATE OF COMPLAINT:	January 25, 2002
DATE OF REPORT:	February 20, 2002
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	March 14, 2002

COMPLAINT ISSUES:

Whether the Lebanon Community School Corporation and the Boone-Clinton-North West Hendricks Joint Services violated:

511 IAC 7-27-7(a) and 511 IAC 7-27-12(b) by failing to implement the student's individualized educational program (IEP) as written, specifically, failing to fund the residential placement agreed upon by the Case Conference Committee (CCC), once the school's application for extraordinary funding was denied by the division of special education.

FINDINGS OF FACT:

1. The student is a seven-year old student who has been determined eligible for special education and related services due to an emotional disability and a mild mental disability.
2. The Student's CCC Summary, dated October 18, 2001, recommends that the Student continue his current residential placement due the need for structured environment and consistent behavioral interventions. The local Division of Family and Children Services (DFC) currently funds the Student's residential placement. A DFC hearing is scheduled for March 13, 2002, to determine if DFC will continue to fund the student's residential placement.
3. Should the DFC funding terminate, the local school district plans to fund the continuation of this placement.

CONCLUSIONS:

1. Finding of Fact #2 and #3 establish that the school will fund the Student's October 18, 2001 CCC recommended residential placement in the event that the DFC decides to no longer fund the placement. Therefore, no violations of 511 IAC 7-27-7(a) and 511 IAC 7-27-12(b) are found.

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