

Office of Special Education Complaint Investigation Log School Year 2001-2002

Date received	District involved in complaint	Issues of the complaint	Issue date of complaint report/ findings	Closure date
9/17/01	Webster	<ol style="list-style-type: none"> 1. Parents have requested reimbursement for transportation expenses during student's hospitalization and follow-up visits. 2. The January 19th IEP annual goals for occupational therapy do not have dates of implementation or progress codes. 3. The parents indicate that Webster School District removed student from school premises without their consent or knowledge for "counseling". 4. The parents indicate that the school informed them that the school would no longer work with student because of "behaviors". Webster School also told the parents not to bring student to school because there were no teachers to work with him. 5. Failure to have appropriately trained personnel to work with student. 6. Failure of the Webster School District to notify both parents of the IEP meeting held prior to the beginning of the 2001-2002 school year. 7. The duration and frequency of the related services were not being implemented as per the January 19, 2001 IEP. 8. The student is not receiving service 	11/2/01 District out of compliance on issues #1,2, 3,4, 6, 7 and 8.	Closed 4/29/02

		in the least restrictive environment in accordance with his current IEP.		
10/12/01	Sioux Falls	Complainant alleges: 1. Failure to inform the student's mother of due process rights after student was given an out of school suspension. 2. Denial of FAPE when the district failed to review the student's behavior interveniton plan as mandated by administrative rule. 3. Denial of FAPE and violation of administrative rule when a regular education teacher did not attend the student's IEP meeting.	12/6/01 No findings	Closed 12/6/01
10/15/01	Alcester-Hudson	1. The complainant alleges the district did not comply with the student's IEP as written.	11/19/01 No findings	Closed 11/19/01
11/15/01	Iroquois	The complainant alleges: 1. The district is not implementing the student's IEP as written. Specifically, the modifications/accommodations in the IEP including: shortening of math assignments, offering concrete/positive reinforcers, providing directions in a variety of ways, use of the Write Out loud program, use of a Franklin Speller, providing reading stories on tape, providing study guides, spelling list and use of an organizational planner. 2. The teachers responsible for implementing the student's IEP do not understand their role/responsibilities for implementation of the IEP; 3. The district is not providing a related service of counseling for the student as recommended by evaluation;	12/28/01 District out of compliance with regards to issues 1 and 3. No findings under issue 2.	Closed 6/25/02
11/26/01	Sioux Falls	1. The complainant alleges an IEP meeting was held 10/24/01 in which a person was not present to designate funds. 2. The complainants alleges the district mailed them an IEP, dated October 24, 2001 for the student, which was developed without the required team members being present.	1/14/02	Closed 6/19/02

		3. The complainant alleges the amount of services to be provided is not specified by frequency, location and duration in the IEP. Specifically, they refer to the modifications being provided "as needed".		
12/4/01	Freeman School District	1. The complainant alleges the district failed to respond to their request for a tutor for the student.	1/14/02 No findings	Closed 1/14/02
1/28/01	Todd County	1. The complainant alleges the district had knowledge the student was potentially in need of special education and failed to identify him prior to his suspension from school.		Set aside due to due process hearing request on same issue Closed 6/9/03
2/22/02	Rapid City	1. Complainant alleges the district did not immediately implement her son's IEP from another state. 2. Complainant alleges the district is not fully implementing the school district's IEP addendum. 3. Complainant alleges the district is not providing appropriate notice and information to her in a timely fashion. 4. Complainant alleges the district has restrained her son with out a behavioral intervention plan and without prior notice to her. 5. The complainant alleges the district did not involve the parent as part of the evaluation team when making decisions regarding what evaluations were to be completed. 6. The complainant alleges the district has not informed the parent regarding the qualifications of the evaluator(s). 7. The complainant alleges the district did not provide appropriate notice regarding what evaluations were to be administered and the purpose of those instruments. 8. The complainant alleges they provided copies of outside evaluations to the district, however, the district has not convened an IEP team meeting to properly consider	4/17/02 District out of compliance on issue 2 – no findings under issues 1, 3-8.	Closed 4/17/02

		<p>these results.</p> <p>9. The complaint alleges the district is “teaching to the test” and invalidating the results of the assessments given to the student.</p>		
4/12/02	Rapid City	<ol style="list-style-type: none"> 1. Complainant alleges the district convened an IEP team meeting that was lacking in appropriate membership. 2. Complainant alleges the district dismissed a student from special education services without evaluation. 3. Complainant alleges the district dismissed a student from special education services without convening an IEP team meeting 	5/20/02 District out of compliance on issue #1	Closed 6/12/03
4/22/02	Brandon Valley	<ol style="list-style-type: none"> 1. Complainant alleges the district changed the student’s IEP without convening a team meeting resulting in the failure of service provision since November 4, 2001. 2. Complainant alleges the district failed to provide the parents with progress reports. 3. Complainant alleges the district did not give the parents five days prior notice before seeking to convene an IEP team meeting. 	5/20/02 District out of compliance on issues #1,2,and 3.	Closed 6/5/02
5/3/02	Iroquois	<ol style="list-style-type: none"> 1. Complainant alleges the district failed to implement the student IEP. Specifically, the complainant alleges the music teacher did not use an assignment notebook, daily schedule or provide detailed instructions on a music assignment given to the student 	6/3/02 District out of compliance	Closed 2/27/03
5/24/02	Brookings	<ol style="list-style-type: none"> 1. Complainant alleges the district failed to implement a student’s IEP. Specifically, the complainant alleges the district did not provide physical education services to the student 	7/23/02 District out of compliance	Closed 12/20/02
8/7/02	Sioux Falls	<ol style="list-style-type: none"> 1. Complainant alleges the student’s IEP dated 3/15/02 does not list measurable benchmarks under goal 4. 	9/29/02 District in compliance	Closed 9/29/02

8/26/02	Shannon County	<ol style="list-style-type: none"> 1. The complainant alleges a student with attention deficit disorder was intermittently served in special education. 2. The complainant alleges a student with speech problem was ridiculed by other students, and no speech therapy services were provided. 3. The complainant alleges a parent reported her child's special needs were not addressed by the district. Further allegations included the district failed to appropriately identify the student as a student with a hearing disability. 4. The complainant alleges another parent suspects her child has a learning disability, but the district has not evaluated the student. 5. The complaint alleges a student on an IEP for daily speech services only received services two times this year. 	10/21/02 District out of compliance with issues one, two and five.	8/12/03
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September 1, 2001 through August 31, 2002

For more information regarding complaints, contact the Office of Special Education at 605-773-3678 or via email at michelle.powers@state.sd.us