

2008-2009 Complaint Log (July 1-June 30) F

	Date received	60 days	SD Advocacy involved?	District involved in complaint	Issues of the complaint	Outcome	Mediation	On site dates/Investigation dates
1	12/15/2008	02/13/2009	yes	Aberdeen	The complainant alleges the district:	District was:	no	Interviews with Special Education Director, Teacher and District Superintendent
		Extended to 3/20/2009			1. failed to follow federal regulation when it failed to amend the student's IEP;	In compliance		
					2. failed to provide education in the appropriate, least restrictive environment;	In compliance		
					3. failed to give proper prior notice to parent for what was to be discussed at an EIP meeting;	Out of compliance		

					4. failed to follow proper procedure concerning ARSD 24:05:26:01 (Short term Suspension);	In compliance		
					5. failed to follow proper procedure for long term suspension concerning ARSD 24:07:03:01 (Written report required) and ARSD 24:07:03:02 (Right to request hearing);	Out of compliance		
					6. failed to allow the student to return to his current placement when the behavior was determined to be a manifestation of his disability and 10 school days passed;	Out of compliance		

					7. failed to follow federal regulation concerning placement and ended his educational services after being billed for damages at SDSBVI;	In compliance		
					8. improperly used ARSD 24:05:27:09.01 (Agreement to change IEP) to change placement; and	In compliance		
					9. provided no education services after improper suspension.	Out of compliance		
	Date received	60 days	SD Advocacy involved?	District involved in complaint	Issues of the complaint		Mediation	On site dates/Investigation dates
2	12/22/2008	02/20/2009	No	West Central	1. violated Part B of the IDEA by having STUDENT labeled as Autistic on his IEP for 2008-2009;	In compliance	Not wanted	1/14/08-1/26/08

					2. violated Part B by stating to the parents that the ADOS team would be a group of people employed outside the district who would observe STUDENT.	In compliance		
					by refusing to consider an out-of-district placement at Children's Care Hospital & School (CCHS) or bringing in a behavior consultant from CCHS to provide consultation to the home and school regarding STUDENTS problem behaviors.	In compliance		
	Date received	60 days	SD Advocacy involved?	District involved in complaint	Issues of the complaint		Mediation	On site dates/Investigation dates
3	03/04/2009	05/03/2009	yes	Stanley Co.	1. failed to fulfill its child find obligation by not following the referral and evaluation procedures;	Out of compliance	not wanted	04/09/2002

					2. failed to consider Jesse's diagnosed disability, his previous IEP with individually designed education, the modifications made for him during the 2007-2008 school year;	In compliance		
					3. failed to hold a conference with parent after the referral, and inform her of, or provide her a copy of the procedural safeguards after denying the evaluation;	Out of compliance		
					4. failed to evaluate Jesse in a timely manner due to the Flow Chart Steps;	Out of compliance		

					5. failed to consider that Jesse may be in need of Special Education and related services in any category except specific learning disability; and	In compliance		
					6. failed to adequately consider all of the information in the 2005 3 year re-evaluation, and information provided by Jesse's 5 th grade classroom teacher.	In compliance		
	Date received	60 days	SD Advocacy involved?	District involved in complaint	Issues of the complaint		Mediation	On site dates/Investigation dates
	06/10/2009	08/09/2009	No	Redfield	1. did not follow IEP, meeting was to be held on May 6, 2008 to determine ESY services, and the meeting was not held,	Out of compliance	Not wanted	6/22-29/2009

					2. did not follow IEP using counseling services as stated in IEP goal number 4,	Out of compliance		
					3. did not issue complete progress reports,	Out of compliance		
					4. did not follow IEP measurable goals (see issue number 3 above); and	Out of compliance		
					5. did not follow Consideration of Special Factors (using the Kurzweil in Resource Room as well as in the Learning Lab).	Out of compliance		

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Issue date of complaint report/findings	Closure date	
2/10/09 and followup 2/25/09	06/30/2009	

Issue date of complaint report/findings	Closure date	
02/02/2009	02/02/2009	

Issue date of complaint report/findings	Closure date	
04/30/2009	10/30/2009	

Issue date of complaint report/findings	Closure date	
07/01/2009	02/17/2010	
