Special Education Programs
Complaint Investigation Log
School Year 2003-2004

Date received	District involved in complaint	Issues of the complaint	Issue date of complaint report/ findings	Closure date
9/30/03	Waubay	The complainant alleges the student's 2002-2003 IEP was not completely implemented and the 2003-2004 IEP is also not being entirely implemented.	11/18/03 District out of compliance	Closed 12/11/03
10/28/03	Aberdeen	The complainant alleges the district and DOE failed to provide a free appropriate public education by: 1. Not providing transportation to school from 8/25 through 8/29/03 2. (a) Not providing an interpreter from October to April of 2002-2003 school year 2. (b) Not providing an interpreter or note taker from 8/25/03 through 10/3/03	12/17/03 District out of compliance with issue 2 (b)	Closed 2/17/03
11/17/03	Yankton	1. The complainant alleges the school district denied the provision of extended school year services to the student during the summer of 2003. 2. The complainant alleges the school district improperly attempted to change the identified disabling condition of the student from "Other Health Impaired" to "Multiple Disabilities". 3. The complainant alleges the school district has improperly attempted to change the length of the student's school day. 4. The complainant alleges the school district failed to provide them with notice of the	1/23/04 District out of compliance with issues 1 and 3.	Closed 6/4/04

		proposed change in the school calendar. 5. The complainant alleges the school district would not agree to record an IEP meeting held on November 14th, 2003.		
12/15/03	Avon School District	1. The complainants allege the school district held an IEP meeting on September 24th, 2003, but the IEP was not written during the meeting. It was received by the parents in November. 2. The complainants allege the school district will has not provided the following modifications/accommodations from the current IEP: taped texts, highlighted texts, note taking assistance and study guides. 3. The complainants allege the school district personnel are unaware of their specific responsibilities in implementing the current IEP. 4. The complainants allege an assistive technology evaluation completed at Children's Care Hospital and School exceeded the 25 day time period. The complainants also allege that CCHS intends to bill the parent for the evaluation rather than the school. 5. The complainants allege the district has improperly listed the parents on the IEP as providers of services.	3/11/04 District out of compliance on issues one, two, three and four	Closed 11/10/04
12/15/03	Avon School District	1. The complainants allege the school district held an IEP meeting on August 23, 2003, but the IEP was not written during the meeting. It was received by the parents on October 22, 2003. 2. The complainants allege the school district will not schedule IEP meetings as a mutually agreed upon time and place. Specifically, the complainants state the district will not conduct	3/11/04 District is out on issues one, four and five	Closed 10/26/04

		meetings before or after school. 3. The complainants allege the school district has failed to develop appropriate goals in the student's current IEP. They state the school district has written goals that are marked as "not addressed". 4. The complainants allege the school district failed to provide the parents with reports of progress on goals and objectives.		
2/13/04	Bennett County	1. The complainant alleges the school district failed to identify and evaluate the student in all areas in an ongoing violation since 1996. The complainant further alleges the district failed to consider and utilized evaluations to determine if the student required counseling to benefit from his speech services. 2. The complainant alleges the district has continually violated administrative rule by failing to implement the student's IEP as written since 1996. 3. The complainant alleges the district has continually violated administrative rule by failing to allow the parent to be an equal participant in the development of the student's IEP. 4. The complainant alleges the district failed to clearly indicate the duration of the student's speech services. 5. The complainant alleges the school district did not provide speech services as per the student's IEP during the spring semester of 2002-2003.	4/9/04 District out on issues 2,4 and 5	Closed 11/17/04
2/13/04 Michelle	White River	1. The complainant alleges the school district failed to identify and evaluate the student in all	5/13/04	Closed 12/27/04

Powers and Angie Boddicker		areas in an ongoing violation since 1996. The complainant further alleges the district failed to consider and utilized evaluations to determine if the student required counseling to benefit from his speech services. 2. The complainant alleges the district has continually violated administrative rule by failing to implement the student's IEP as written since 1996. 3. The complainant alleges the district has continually violated administrative rule by failing to allow the parent to be an equal participant in the development of the student's IEP. 4. The complainant alleges the district failed to clearly indicate the duration of the student's speech services. 5. The complainant alleges the school district did not provide speech services as per the student's IEP during the spring semester of 2002-2003	District out of compliance on issues one and three.	
4/22/04	Tea School District	1. The complainant alleges the district staff were unaware of the student's IEP until December 10th, 2003. The complainant further alleges the middle school principal had not determined a method to inform teachers of students in need of special education as of January, 2004. 2. The complainant alleges the district did not provide the parents with progress reports on their child's IEP goals and objectives on a quarterly basis. 3. The complaint alleges the IEP, dated 1/23/04, was signed by the middle school principal and a teacher, however, they were not actually present at the meeting.	8/3/04 District out of compliance on issues one, two and four	Closed 9/8/04

		4. The complainant alleges the IEP, dated 1/23/04, indicates the frequency of modifications to be provided as "other" and extended time for test completion is marked as needed. The allegation is that the amount of services to be provided is unclear		
4/28/04	Sioux Falls School District	1. The complainant alleges the school district failed to implement the student's IEP, including providing make up assignments when out of school. The complainant also alleges staff from the Joe Foss Alternate school are not aware of the student's IEP. 2. The complainant alleges the school district staff of Lincoln High School have not address harassment of the student since the beginning of the school year, resulting in the student being removed from school multiple times, denying a free appropriate public education. 3. The complainant alleges the school district improperly suspended and/or expelled the student from school on a continuous basis.	8/17/04 District in compliance on all three issues	Closed 8/17/04
6/21/04	Shannon County	The complainant alleges the district failed to provide speech language therapy services by a certified speech/language pathologist during the 2003-2004 school year.	8/27/04 District in compliance	Closed 8/27/04
8/16/04	Todd County	1. The complainant alleges the school district has failed to provide a free appropriate education to students with disabilities who have been suspended on a long-term basis from the school district. ARSD 24:05:13:02 defines a free appropriate public education. The complainant specifically cited ARSD 24:05:25:02.03 Required Services – No change of placement and 24:05:26:09.02 Determination of interim alternative educational	10/8/04 District out of compliance with issues one and two	Closed 6/29/05

		settings as administrative rules being violated. 2. The complainant also alleges the district exceeded the requirements to conduct a manifestation determination with ten school days after the date the decision to remove the student was made. ARSD 24:05:26:09.03 Manifestation determination review requirements is the applicable administrative rule.		