

**Report of Inquiry
Bureau Resolution Determination
Conducted by the Bureau of Exceptional Education and Student Services
Involving the St. Lucie County School District**

BACKGROUND

On October 12, 2007, the Bureau of Exceptional Education and Student Services received a signed complaint letter from [REDACTED] a high school [REDACTED] who has been receiving exceptional student education (ESE) services. [REDACTED], with [REDACTED] mother's permission, alleged that the St. Lucie County School District had violated federal and state laws relating to the education of students with disabilities. On October 12, 2007, Bureau staff spoke with the student and the district to clarify the issue of the complaint. Specifically, the complaint allegation involved the following issue:

ISSUE: Whether the St. Lucie County School District implemented the student's individual educational plans (IEPs) during the 2006-07 school year.

The 60-day timeline for the complaint inquiry began on October 12, 2007, with an anticipated completion date of December 11, 2007. An early resolution meeting was held on October 24, 2007, after which the complainant requested that the issue be modified to withdraw the 2007-08 school year.

As part of the inquiry process, the district and complainant were asked to submit relevant documents and information to the Bureau. The complainant submitted information in the complaint, and the district's documentation was submitted by Mr. Bill Tomlinson, Exceptional Student Education (ESE) Director, St. Lucie County School District. The educational records that were provided indicated that at the time of the filing of the state complaint, the student (D.O.B. [REDACTED]) was eligible for the special programs for students who are homebound or hospitalized. (H/H).

LEGAL AUTHORITY FOR THE BUREAU'S FINAL DECISION

Section 300.115 of Title 34 of the Code of Federal Regulations (Title 34) states: "(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. (b) The continuum required in paragraph (a) of this section must- (1) Include the alternative placements listed in the definition of special education under Section 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement."

The corresponding state requirement is found in Rule 6A-6.03020 of the Florida Administrative Code (F.A.C.).

CONCLUSIONS

1. The St. Lucie County School District did not implement the student's individual educational plans (IEPs) during the 2006-07 school year.
2. The October 24, 2007, early resolution meeting resulted in changes for the student's grades as well as an amended grade point average.

CORRECTIVE ACTION

The St. Lucie County School District shall ensure that the student's IEP is implemented. For the remainder of the 2007-08 school year, verification regarding the implementation of the student's IEP shall be provided to the Bureau on the following dates: January 31, 2008; April 15, 2008; and June 16, 2008. Documentation shall include, but not be limited to, a copy of the student's IEP(s) and report cards for the 2007-08 school year.