

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

BACKGROUND

The Bureau of Exceptional Education and Student Services (Bureau) received a state complaint from ■, attorney, on behalf of a student, on March 17, 2009, alleging that the Orange County School District has violated federal and state laws relating to the education of students with disabilities. Written authorization and consent for release of information for the attorney to communicate with Bureau staff was received on March 26, 2009. Specifically, the complaint allegation involved the following issue:

ISSUE: Whether the Orange County School District implemented the student’s individual educational plan (IEP) during the 2008-09 school year, specifically regarding the provision of transportation as a related service

The district and the complainant were asked to submit relevant documents and information to the Bureau. Ms. Harriet Brown, Exceptional Student Education (ESE) Policy and Procedures Director, Orange County School District, submitted documentation on behalf of the district. The complainant also submitted documentation.

As part of the inquiry process, relevant portions of the student’s educational records were reviewed. The educational records indicated that the student (date of birth: ■) was in ■ and determined eligible for special programs for students identified with developmental delay (DD), speech impairment (SI), and another health impairment (OHI).

ISSUE: Whether the Orange County School District implemented the student’s individual educational plan (IEP) during the 2008-09 school year, specifically regarding the provision of transportation as a related services

LEGAL AUTHORITY FOR THE BUREAU’S FINAL DECISION

Section 300.323 of Title 34 of the Code of Federal Regulations states, “...(c)(2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child’s IEP...”

34 CFR § 300.34... (c) (16) states, “Transportation includes--(i) Travel to and from school and between schools; (ii) Travel in and around school buildings; and (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

The corresponding state requirement is found in State Board of Education Rules 6A-6.03028 of the Florida Administrative Code (F.A.C.).

CONCLUSION

The Orange County School District implemented the student's IEP during the 2008-09 school year, specifically regarding the provision of transportation as a related service.

CORRECTIVE ACTION

None