

IDEA WRITTEN ADMINISTRATIVE COMPLAINT NUMBER 16-12

Name of the school system:

Hamilton County Department of Education (HCDE)

Description of the violation:

HCDE's failure to provide an Individualized Education Program (IEP) which provided services in the student's least restrictive environment (LRE) and removal of student from the general education program based upon the need for modifications in the general education curriculum amounted to a procedural and substantive violation of federal and state special education laws and a denial of the student's entitlement to a free appropriate public education (FAPE).

Description of the law or regulation determined to have been violated:

34 C.F.R. §300.114	LRE requirements
34 C.F.R. §300.116 (e)	Placements

Corrective measures ordered by the department:

HCDE must provide documentation to the department that procedures or protocols are put in place to ensure that the considerations for least restrictive environment are applied in all cases in which placement outside of the general education environment is proposed by HCDE.

Final determination of the department:

The department will monitor HCDE for compliance with the correction action plan until the department is satisfied that it has been completed.