

**IDEA WRITTEN ADMINISTRATIVE COMPLAINT  
NUMBER 10-051**

**Name of the school system:**

Hamilton County Schools

**Description of the violation:**

**Hamilton County Schools (HCS) failed to review the current Individualized Education Program (IEP) in a timely manner.** Five staff members signed the IEP review at different dates ranging from August 23, 2010, September 17, 2010, and October 12, 2010. Hamilton County Schools commenced classes on August 11, 2010. The Department finds the following violation: **34 C.F.R. § 300.323 When IEPs must be in effect. (a)(d)(1)(2)(i)(ii)**

**The Complainant alleges Hamilton County Schools failed to follow the Individualized Education Program (IEP) and the Behavior Improvement Plan (BIP.** The IEP and the BIP were delayed in being implemented by some staff members. The Department finds the following violation: **34 C.F.R. § 300.101 Free Appropriate Public Education (FAPE) (a) (c) (1)**

**Final Decision and Corrective Action Plan**

Hamilton County Schools must schedule training within thirty (30) days of receipt of the Corrective Action Plan regarding the provision of **34 C.F.R. § 300.323 When IEPs must be in effect. (a)(d)(1)(2)(i)(ii)** and **34 C.F.R. § 300.101 Free Appropriate Public Education (FAPE) (a) (c) (1)** as mandated by the IDEA to the appropriate staff of Hamilton County Schools.

**Final determination of the department:**

The Department will continue to monitor compliance with the Corrective Action Plan.