

BEFORE THE TENNESSEE DEPARTMENT OF EDUCATION

IN THE MATTER OF )

**[REDACTED]** )

Petitioner, )

v. )

ANDERSON COUNTY SCHOOL )  
SYSTEM, )

Respondent, )

Due Process Hearing No. 01-24-  
Hon. James Andrews,  
Administrative Law Judge

FINAL ORDER

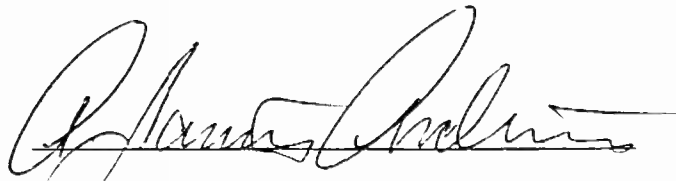
A hearing having been held on May 31, 2001 where testimony was heard and documentary evidence reviewed, the court finds

1. **[REDACTED]** is a special education student classified as Learning Disabled/Written Expression and is receiving special education and related services pursuant to an IEP; and
2. **[REDACTED]** brought a low velocity BB device to school on April 12, 2001; and
3. There is no evidence that **[REDACTED]** intended to harm or threaten anyone with the BB device;
4. **[REDACTED]** is flourishing in his current placement in the alternative classroom at Norris Middle School; and
5. The father desires that **[REDACTED]** get the best possible education;


Wherefore, it is ORDERED that:


1. [REDACTED] while a resident of Anderson County will continue to be served in the alternative classroom at Norris Middle School for the 2001-2002 school year. Should [REDACTED] relocate within the Anderson County School System, [REDACTED] will continue to be enrolled in the alternative classroom at Norris Middle School so long as [REDACTED] provides transportation.
2. The school system will pay \$2,000 in attorney fees to Mr. William Allen, Esq., attorney for [REDACTED]. The court finds and the parties agree that the PETITIONER is not "the prevailing party" in this dispute, and the school system is not liable for any further award of attorney fees or costs arising out of or related to any action concerned with these proceedings.

Entered this 31<sup>st</sup> day of May, 2001.

  
A. James Andrews, Administrative Law Judge

Agreed and approved:

  
Melinda Maloney Baird, Atty. For ACS

  
William Allen, Attorney For Petitioner