

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

I.K., by and through his : CIVIL ACTION
parent and educational :
decision maker, B.K. :
 :
v. :
 :
THE SCHOOL DISTRICT OF :
HAVERFORD TOWNSHIP : NO. 12-4066

ORDER

AND NOW, this 14th day of August, 2013, upon consideration of defendant the School District of Haverford Township's ("the District") motion to supplement the administrative record (docket entry # 10), plaintiff I.K., by and through his parent and educational decision maker, B.K.'s (collectively, "B.K.") response in opposition thereto, B.K.'s motion for partial summary judgment (docket entry # 15), the District's motion for judgment on the administrative record and motion for summary judgment (docket entry # 16), B.K.'s motion for judgment on the administrative record (docket entry # 23), the District's omnibus response in opposition to B.K.'s motions, B.K.'s response in opposition to the District's motion for judgment on the administrative record and motion for summary judgment (docket entry # 26), the parties' reply briefs, the parties' supplemental briefing on the motion to supplement the administrative record (docket entries ## 37 & 38), the August 5, 2013 evidentiary hearing, and upon the analysis detailed in the accompanying Memorandum, it is hereby ORDERED that:

1. The District's motion to supplement the administrative record (docket entry # 10) is GRANTED and the record will be supplemented with the testimony of Judith A. Gran, Esq. and B.K., who testified in open court on August 5, 2013;

2. The District's motion for judgment on the administrative record and motion for summary judgment is GRANTED IN PART and DENIED IN PART (docket entry # 16);

3. The hearing officer's 2011 Decision, ODR #00803/09-10 KE (July 8, 2011), is AFFIRMED and her 2012 Decision, ODR #2158/10-11 KE (April 18, 2012), is VACATED;

4. B.K.'s motion for partial summary judgment (docket entry # 15) is DENIED AS MOOT;

5. B.K.'s motion for judgment on the administrative record (docket entry # 23) is DENIED AS MOOT; and

6. The Clerk shall CLOSE this matter statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.