

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

THE SCHOOL DISTRICT OF PHILADELPHIA	:	
	:	
v.	:	CIVIL ACTION
	:	No. 14-2804
	:	
SHIRLEY DRUMMOND, <i>Grandparent and</i>	:	
<i>Guardian of A.H., a Minor</i>	:	

**ORDER**

AND NOW, this 12th day of April, 2016, upon consideration of Defendant Shirley Drummond (“Drummond”)’s Motion for Judgment on the Administrative Record, the Response of Plaintiff [The School District of Philadelphia (“District”)] in Opposition to Motion for Judgment on Administrative Record, the Reply Memorandum of Law in Further Support of Defendant’s Motion for Judgment on the Administrative Record, the Cross-Motion of Plaintiff The School District of Philadelphia for Judgment on the Administrative Record, the Memorandum of Law in Opposition to Plaintiff’s Cross-Motion for Judgment on the Administrative Record, and the administrative record of the due process proceedings in the Office of Dispute Resolution (“ODR”), it is **ORDERED** that:

1. The ODR’s (a) removal of A.H.’s intellectual disability diagnosis, (b) grants of compensatory education, and (c) grant of nursing services are **NOT REVERSED**. Unless the parties agree otherwise, all current services to which Drummond does not object shall continue until a new IEP is in force.
2. The ODR’s holdings that (a) no District-funded Independent Educational Evaluation (“IEE”) of A.H. is required, and (b) the District’s August 2013 Individualized Education Program (“IEP”) for A.H. is appropriate with the relief granted by the ODR are **REVERSED**.
3. The District shall fund an IEE of A.H.
4. The District shall create a new IEP for A.H. taking into consideration the IEE and following all procedures mandated by the Individuals with Disabilities Education Act (“IDEA”).
5. Both parties shall appear at a hearing before the court in Courtroom 10-A, United States Courthouse, 601 Market Street, Philadelphia, PA, on **June 7, 2016**, at 11:00 a.m. The issue of attorneys’ fees will be discussed at this hearing.

/s/ Norma L. Shapiro  
**Norma L. Shapiro**  
**United States District Judge**

