UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DANITA MOORE, **In her own right, and as next friend of her son, D.M.** **AND** **DM, a minor, by his mother and next friend, Danita Moore,** **Plaintiffs,** **v.** **DISTRICT OF COLUMBIA,** **A municipal corporation,** **AND** **MICHELLE RHEE,** **In her official capacity as, Chancellor, D.C.P.S.,** **Defendants.**	)	**Civil Case No. 09-656 (RJL)**

wd

MEMORANDUM ORDER
April 22, 2009 [#3]

Plaintiffs seek a "stay put" injunction under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1415(j), to maintain Plaintiff DM's current educational situation at School Finders, LLC ("School Finders") pending review of plaintiffs' administrative complaint challenging the defendants' recent decision to change Plaintiff DM's educational placement to Village Academy. Having established that this

change would constitute a "fundamental change in . . . a basic element of [DM's] educational program," *see Laster v. District of Columbia*, 394 F. Supp. 2d 60, 64 (D.D.C. 2005), and having established that a change to Village Academy at this point in the academic year would not be substantially similar to either attending Accotink Academy or School Finders, plaintiffs are entitled to a stay put injunction pending the conclusion of their administrative challenge to defendants' proposed change in DM's placement, *see Laster v. DC*, 439 F. Supp. 2d 93, 98 (D.D.C. 2006). In addition, plaintiffs have demonstrated that DM is entitled to continue to receive the necessary transportation costs to attend School Finders, as well as those supplemental services required by Plaintiff DM's IEP at School Finders pending the resolution of their administrative complaint. Accordingly, it is hereby

ORDERED that Plaintiff DM shall continue to receive his education at School Finders pending the resolution of the plaintiffs' administrative complaint, and it is further

ORDERED that Plaintiff DM shall receive the necessary transportation costs he is entitled to under his IEP at School Finders pending the resolution of plaintiffs' administrative complaint, and it is further

ORDERED that Plaintiff DM shall continue to receive whatever supplemental services he is entitled to under his IEP at School Finders pending the resolution of plaintiffs' administrative complaint, and finally it is

ORDERED that the parties shall notify this Court in writing as soon as possible thereafter as to either the resolution of plaintiffs' pending administrative complaint, or any other action by the plaintiffs to terminate, stay, or delay the administrative review process.

SO ORDERED.

RICHARD J. LEON
United States District Judge