

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAVANDA BECKWITH, Parent and next
friend of L.B., a minor, and L.B. individually,

Plaintiffs,

v.

DISTRICT OF COLUMBIA,

Defendant.

Case No: 15-cv-1284-RCL

ORDER

For the reasons stated in the accompanying memorandum, it is hereby

ORDERED that Magistrate Judge Alan Kay's Report and Recommendation issued June 27, 2016 [20], is **ADOPTED**; and it is further

ORDERED that the plaintiff's Motion for Summary Judgement [11] is granted in part, and denied in part; and it is further


ORDERED that the defendant's Cross Motion for Summary Judgment [15] is granted in part, and denied in part.

Accordingly, the May 13, 2015 Hearing Officer's Determinations that DCPS's failure to comply with its restraint requirements did not deny L.B. a FAPE, and that DCPS's failure to implement L.B.'s June 2014 and January 2015 IEPs did not deny L.B. a FAPE are hereby **REVERSED**. The May 13, 2015 Hearing Officer's Determinations that Langley Elementary was an appropriate location of services and capable of implementing L.B.'s IEPs, that DCPS provided an appropriate IEP in January 2015, and that DCPS's failure to develop a behavioral intervention plan did not deny L.B. a FAPE are hereby **AFFIRMED**.

It is hereby **ORDERED** that defendant revise L.B.'s IEP to include appropriate guidelines for the use of restraints on L.B., and that defendant provide compensatory education for the above-listed denials of a FAPE.

Pursuant to Local Rule 54.2(a), it is hereby **ORDERED** that the parties are directed to confer and to attempt to reach an agreement on fee issues. Any motions for attorneys' fees shall be filed no later than 14 days from this date pursuant to Federal Rule of Civil Procedure 54(d)(2)(B).

Date: September 15, 2016



ROYCE C. LAMBERTH
United States District Judge