

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ANTOINETTE SHAW,

*Plaintiff,*

v.

DISTRICT OF COLUMBIA,

*Defendant.*

No. 17-cv-0738 (DLF/RMM)

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On February 8, 2019, Magistrate Judge Robin M. Meriweather filed a thorough and well-reasoned Report and Recommendation recommending that both the plaintiff's Motion for Summary Judgment, Dkt. 10, and the Defendant's Cross Motion for Summary Judgment, Dkt. 13, be granted in part and denied in part. *See* R&R, Dkt. 28. Neither party filed any objections to the Report and Recommendation. Accordingly, it is

**ORDERED** that, pursuant to 28 U.S.C. § 636(b)(1) and Rule 72.3(c) of the Rules of the United States District Court for the District of Columbia, the findings and recommendations made in the Report and Recommendation are **ACCEPTED IN WHOLE** and the Report and Recommendation is **ADOPTED AS THE OPINION OF THIS COURT**. It is further

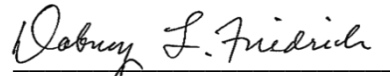
**ORDERED** that the plaintiff's Motion for Summary Judgment, Dkt. 10, is **GRANTED IN PART AND DENIED IN PART**. It is also

**ORDERED** that the Defendant's Cross Motion for Summary Judgment, Dkt. 13, is **GRANTED IN PART AND DENIED IN PART**. It is finally

**ORDERED** that this case is **REMANDED** to the Hearing Officer for further proceedings consistent with the Report and Recommendation. Those proceedings should include

the following: (1) conducting an additional hearing to determine an appropriate remedy for DCPS's denial of a FAPE to S.S. during the 2015–2016 school year and providing a detailed evidence-based analysis of the appropriate relief necessary to redress DCPS's reliance on outdated evaluations during the triennial review; (2) determining an appropriate remedy for DCPS's failure to provide S.S. a FAPE by neglecting to provide prior written notice of S.S.'s graduation; (3) further developing the record and determining whether DCPS denied S.S. a FAPE by awarding her a diploma in 2016, including making factual findings about whether S.S. satisfied the diploma requirements at Anacostia High School in the 2015 to 2016 school year and analyzing whether any applicable regulatory requirements governed S.S.'s eligibility for a high school diploma; and (4) fashioning an appropriate remedy if the Hearing Officer finds that S.S.'s graduation denied S.S. a FAPE.

February 26, 2019

  
DABNEY L. FRIEDRICH  
United States District Judge