

This is a redacted version of the original decision. Select details have been removed from the decision to preserve the anonymity of the student. The redactions do not affect the substance of the document.

**Pennsylvania Special Education Due Process Hearing Officer
Final Decision and Order**

CLOSED HEARING

ODR No. 32913-25-26

Child's Name:

Z.T.

Date of Birth:

[redacted]

Parent(s):

[redacted]

Local Education Agency:

Philadelphia City School District
440 N. Broad Street
Philadelphia, PA 19130

Counsel for the LEA:

Jacqueline Coelho, Esq.
440 N. Broad Street
Philadelphia, PA 19130

Hearing Officer:

James Gerl, CHO

Date of Decision:

June 17, 2026

BACKGROUND

The parents filed a due process complaint alleging that the school district denied a free and appropriate public education to the student and requesting as relief that the student be assigned to the Pennsylvania School for the Deaf. The school district contends that it did not deny a free and appropriate public education to the student. The complaint contends further that the school district failed to implement the material speech-language therapy provisions of the student's IEP. The school district concedes that there was a failure to implement the speech-language therapy provisions of the student's IEP for a period of time.

I find in favor of the school district with regard to the issue of whether a free and appropriate public education was provided to the student. I find in favor of the parents with regard to the issue of whether the school district failed to implement material provisions of the student's IEP concerning speech-language therapy.

PROCEDURAL HISTORY

The hearing was convened in one in-person session. Five witnesses testified at the hearing. Parent exhibits P-1 through P-4 were admitted into evidence. School district exhibits S-1 through S-16 were admitted into evidence.

Before the hearing, the unrepresented parents and counsel for the school district presented written pre-hearing briefs. At the close of the hearing, both parties presented oral closing arguments. All arguments submitted by the parties have been considered. To the extent that the arguments advanced by the parties are in accordance with the findings,

conclusions and views stated below, they have been accepted, and to the extent that they are inconsistent therewith, they have been rejected. Certain arguments and proposed findings have been omitted as not relevant or not necessary to a proper determination of the material issues as presented. To the extent that the testimony of various witnesses is not in accordance with the findings as stated below, it is not credited.

To the extent possible, personally identifiable information, including the names of the parties and similar information, has been omitted from the text of the decision that follows. FERPA 20 U.S.C. § 1232(g); and IDEA § 617(c).

ISSUES PRESENTED

The due process complaint, as explained and clarified at the prehearing conference for this matter, presents the following two issues:

1. Whether the parents have proven that the school district denied a free and appropriate public education to the student? and
2. Whether the parents have proven that the school district failed to implement material provisions of the student's IEP concerning speech-language therapy?

FINDINGS OF FACT

Based upon the parties' stipulations of fact, I have made the following findings of fact:

1. The student's date of birth is [redacted]
2. The student is enrolled in the school district and is currently a [redacted] student at an elementary school.

3. The school district is the student's local education agency.
4. The student came to the school district from another state where the student had been enrolled in that state's School for the Deaf for [redacted].
5. On October 9, 2025 the parents signed a Notice of Recommended Educational Placement (NOREP) for the student to receive 1,500 minutes per week of supplemental deaf/hard of hearing support with speech-language support for 180 minutes per week. It noted that a Permission to Evaluate would be needed to determine Pennsylvania eligibility. The mother approved this NOREP but added the notation "only temporarily until [student's\ IEP meeting as we want [student] to go to PSD!"
6. A Permission to Evaluate (PTE) notice and request for consent to evaluate was issued to the parents on October 16, 2026. This PTE included several skill areas and methods for evaluating. It was signed on October 29, 2025. The signed PTE was received on November 7, 2025.
7. On February 26, 2026, the School District issued an evaluation report that found the student to be eligible with a primary disability category hearing impairment, including deafness and a secondary disability category of speech-language impairment.
8. The parents were invited to an IEP meeting on March 25, 2026 to discuss the IEP that was prepared based on the evaluation.
9. The student's IEP provided for 1,500 minutes per week of supplemental support outside of the regular education classroom with deaf and hard of hearing support, special transportation, speech language therapy and sign language interpreter.
10. On March 26, 2026, the mother signed the corresponding NOREP checking the box," I do not approve this action/ recommendation." The

mother filled in the "my reason for disapproval is" with "My [child] will be more successful at PSD. They have better resources for [student] than public school." The mother also checked the box marked due process hearing.

Based upon the evidence in the record compiled at the due process hearing, I have made the following findings of fact: ¹

11. The student loves playing [redacted]." (NT 59 – 61)

12. On February 26, 2026 the school district issued an evaluation report for the student. The evaluation was conducted by the school district's school psychologist and speech-language therapist. The evaluation found that the student had needs in the areas of literacy and speech – language, including answering WH questions and identifying and understanding concepts. (S-4; NT 65 – 68, 71 – 72)

13. The school district developed a communication plan for the student. (S-6; NT 118 – 119)

14. On March 25, 2026, an IEP was developed for the student. The IEP includes goals for literacy (recognizing site words and reading and matching words), math (identifying numbers and addition problems), and speech-language goals (identify/express concepts and independently answer "what," "who," and "where" questions.) The IEP provided for related services, including special transportation, group speech-language therapy for 90 minutes per month and a sign language interpreter. The IEP found the

¹ (Exhibits shall hereafter be referred to as "P-1," etc. for the parents' exhibits; "S-1," etc. for the school district's exhibits; references to page numbers of the transcript of testimony taken at the hearing is hereafter designated as "NT____").

student to be eligible for extended school year services. The student was assigned to the regular education classroom approximately 24% of the school day. (S-7; NT 83)

15. The student attends a self-contained classroom at the elementary school. There are 14 students in the classroom. There are at least three adults in the classroom: a teacher of the deaf, a sign language interpreter and a classroom assistant. In the afternoons, there is an additional teacher of the deaf assigned to the classroom. The classroom teacher uses a visual board that has a display screen that is approximately 70 inches in diagonal. The teacher uses a PowerPoint to load the lessons on the visual board so that students can see the lessons as the teacher is teaching it. (NT 100 – 106, 117 – 118, 135 – 137, 153 – 154)

16. The student interacts with peers in class and participates in class. At school events and during recess, the student interacts with hearing students, as well as deaf and hearing-impaired students. (NT 108 - 109, 119 – 120)

17. The parents have not requested any changes or modifications to the student's IEP. The parents have not made any suggestions concerning alternative strategies for the student. The parents made it clear that they would only accept the student being assigned to the Pennsylvania School for the Deaf. (NT 57 – 58; S-1, S-8)

18. The student made progress under the student's IEP at the school district including, using more sign language signs at the time of the due process hearing than the student had when the student entered the school district. The student also made progress in speech-language therapy before the speech-language therapist left for maternity leave. (S-9, S-10, S-11, S-13; NT 83 – 86, 106, 113 – 118, 111 – 114)

19. The Pennsylvania School for the Deaf is an approved private school that is tuition based. The Pennsylvania School for the Deaf is a more restrictive placement than the student's current elementary school in the school district. (NT 86 – 90, 132-133)

20. The parents obtained a private independent speech-language evaluation of the student on May 4, 2026. The parents did not share the student's IEP from the school district with the private independent evaluator. The parents did not share the speech-language evaluation report with school district staff. (P-3; NT 52 – 53)

21. The student's IEP provides that the student will receive 90 minutes of group speech-language therapy per month. The speech-language therapist who had been providing services to the student left for maternity leave and was not replaced by the school district. From March 6, 2026 through the date of the due process hearing, the student did not receive the speech-language therapy provided for in the student's IEP. The school district concedes that the related service was not provided to the student and that the family is owed compensatory education/services. (P-1, P-2, S-7; NT 58 – 59, 80 – 83, 93 – 94)

CONCLUSIONS OF LAW

Based upon the arguments of the parties, all of the evidence in the record, as well as my own legal research, I have made the following conclusions of law:

1. A parent or a local education agency may file a due process complaint alleging one or more of the following four types of violations of the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq., (hereafter sometimes referred to as "IDEA"): an identification violation, an evaluation

violation, a placement violation or a failure to provide a free and appropriate public education. IDEA §615(f)(A); 34 C.F.R. § 300.507(a); 22 Pa. Code § 14.162.

2. The United States Supreme Court has developed a two-part test for determining whether a school district has provided a free appropriate public education (hereafter sometimes referred to as “FAPE”) to a student with a disability. There must be: (1) a determination as to whether a school district has complied with the procedural safeguards as set forth in IDEA, and (2) an analysis of whether the individualized educational program is reasonably calculated to enable the child to make progress in light of the child’s circumstances. Endrew F by Joseph F v. Douglass County School District RE-1, 580 U.S. 386, 69 IDELR 174 (2017); Board of Educ., etc. v. Rowley, 458 U.S. 178, 553 IDELR 656 (1982); KD by Theresa Dunn and Jonathan Dunn v. Downingtown Area School District, 904 F.3d 248, 72 IDELR 261 (3d Cir. 2018).

3. In order to provide FAPE, an IEP must be reasonable, not ideal. KD by Dunn v. Downingtown Area School District, *supra*; LB by RB and MB v Radnor Twp Sch Dist, 78 IDELR 186 (ED Penna 2021).

4. The appropriateness of an IEP in terms of whether it has provided a free appropriate public education must be determined at the time that it was made. The law does not require a school district to maximize the potential of a student with a disability or to provide the best possible education; instead, it requires an educational plan that provides the basic floor of educational opportunity. Ridley School District v. MR and JR ex rel. ER, 680 F.3d 260, 58 IDELR 281 (3d Cir. 2012); DS v. Bayonne Board of Education, 602 F.3d 553, 54 IDELR 141 (3d Cir. 2010); Mary Courtney T. v. School District of Philadelphia, 575 F.3d 235, 251, 52 IDELR 211 (3d Cir. 2009).

5. For a procedural violation to be actionable under IDEA, the parent must show that the violation results in a loss of educational opportunity for the student, seriously deprives the parents of their participation rights, or causes a deprivation of educational benefit. Ridley School District v. MR and JR ex rel. ER, *supra*; IDEA § 615(f)(3)(E); 34 C.F.R. § 300.513(a).

6. IDEA does not require a school district to guarantee a particular result or to close the gap between children with disabilities and their non-disabled peers. JN and JN ex rel. JN v. Southwest School District, 56 IDELR 102 (N.D. Penna. 2015); see, Kline Independent School District v. Hovem, 690 F. 3d 390, 59 IDELR 121 (5th Cir. 2012); HC and JC ex rel. MC v. Katonah – Lewisboro Union Free School District, 59 IDELR 108 (S.D. NY 2012); District of Columbia Public Schools, 111 L.R.P 77405 (SEA D.C. 2011). Progress toward FAPE is measured according to the unique circumstances of the individual student and not in comparison to other students. See, GD by Jeffrey and Melissa D v. Swampscott Public Schs, 122 LRP 6305 (1st Cir. 2022). The Third Circuit has specifically ruled that IDEA does not require that all (or even most) disabled children advance at a grade-level pace. KD by Dunn v. Downingtown Area School District, 904 F. 3d 248, 72 IDELR 261 (3d Cir. 2018).

7. Educational placement refers to a student's educational program and not the bricks and mortar of a particular school; the location, or specific school need not be identified in an IEP and need not involve parent participation. Deer Valley United School District v. LP, 61 IDELR 48 (D. Ariz. 2013); JL and JL ex rel. CL v. City Sch. Dist., City of NY, 60 IDELR 223 (S.D. NY 2013); Aikens v. District of Columbia, 71 IDELR 132 (D.D.C. 2013); see DM and LM ex rel. EM v. New York Dept. of Ed., 801 F. 3d 205, 66 IDELR 93 (3d Cir. 2015).

8. A parent cannot compel a local education agency to provide services at a specific school or location. A local education agency is generally afforded the discretion to select the location at which a student's IEP is implemented. RB v Mastery Charter School, 762 F. Supp. 2d 745, 55 IDELR 282 (E.D. Pa 2012); See, A.W. v. Fairfax County School Board, 372 F.3d 674, 41 IDELR 119 (4th Cir. 2004); JL & JF ex rel CC v NYC Dept of Educ, 65 IDELR 137 (SDNY 2015); MA v Jersey City Bd of Educ, 63 IDELR 9 (DNJ 2014); KB by Brown v Dist of Columbia, 66 IDELR 63 (DDC 2015); See, DM and LM ex rel. EM v. New Jersey Dept. of Ed., 801 F. 3d 205, 66 IDELR 93 (3d Cir. 2015).

9. Where a party predetermines an IEP or a student's placement or program prior to an IEP team meeting, they violate IDEA. 34 C.F.R. 300.501(b)&(c); See, Deal v. Hamilton County Bd of Educ, 392 F.3d 840, 42 IDELR 109 (6th Cir. 2004); LE and ES ex rel MS v. Ramsey Bd. of Educ, 44 IDELR 269, 435 F.3d 384 (3d Cir. 2006); JD v. Kanawha County Bd of Educ, 48 IDELR 159 (S.D. WVa. 2007). The key is that the parties must keep an open mind regarding placement and program at the team meeting and duly consider the input of the other party. See JD v. Kanawha County Bd of Educ, 48 IDELR 159 (S.D. W. Va. 2007); CH by Hayes v. Cape Henlopen Sch Dist, 606 F. 3d 59, 54 IDELR 212 (3d Cir. 2010); Rockwell Independent Sch Dist v. MC ex rel. MC, 816 F. 3d 341, 67 IDELR 108 (5th Cir. 2016).

10. A school district must "...to the maximum extent appropriate (ensure that) children with disabilities... are educated with children who are non-disabled and that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in the regular classroom with the use of supplementary aids and services cannot be achieved satisfactorily." 34 C.F.R. § 300.114(a)(2); Individuals With Disabilities

Education Act (hereinafter sometimes referred to as "IDEA") § 612(a)(5)(A); 22 Pa. Code § 14.145.

11. The Third Circuit has stated that the least restrictive environment provision sets forth a "strong congressional preference" for integrating children with disabilities in regular classrooms. Oberti v. Board of Education, 995 F.2d 1204, 19 IDELR 908 (3d Cir. 1993). The court adopted a two-part test for determining whether a district is in compliance with IDEA's mainstreaming requirement. First, the court must determine whether education in a regular classroom with the use of supplementary aids and services can be achieved satisfactorily. Second, if the court finds that placement outside a regular classroom is necessary for the child to benefit educationally, then the court must decide whether the school has "mainstreamed the child to the maximum extent appropriate," that is, whether the school has made efforts to include the child in school programs with nondisabled children whenever possible. In determining the first prong of the two-part test, the court set forth three factors to be determined: First, the court should look at the steps that the school has taken to try to include the child in a regular classroom. Second, the court should consider in determining whether a child with a disability can be included in the regular classroom, comparing the educational benefits the child will receive in a regular classroom with supplementary aids and services versus the benefits the child will receive in a segregated special education classroom. Third, the court should consider the possible negative effects of the child's inclusion on the education of other children in a regular classroom. When considering negative effects, the court must keep in mind the school's obligation to provide supplementary aids and services to accommodate the child's disabilities. Oberti, supra.

12. The least restrictive environment mandate is a substantive requirement of IDEA. Oberti, supra, at n.18; See TM by AM and RM v. Cornwall Central School District, 752 F.3d 145, 63 IDELR 31 (2d Cir. 2014).

13. To prevail on a claim of failure to implement an IEP, a parent must show that the school district failed to implement substantial or material provisions contained in the IEP. Abigail P by Sarah F v. Old Forge Sch Dist, 105 F.4th 57, 124 LRP 21769 (3d Cir 2024); MP by VC v. Parkland School District, 79 IDELR 126 (E.D. Penna. 2021); see, Van Duyn v. Baker School District, 481 F 3d 770, 47 IDELR 182 (9th Cir. 2007).

14. An IDEA hearing officer has broad equitable powers to issue appropriate remedies when a local education agency violates the Act. All relief under IDEA is equitable. Forest Grove School District v. TA, 557 U.S. 230, 129 S. Ct. 2484, 52 IDELR 151 (n. 11) (2009); Ferren C. v. Sch. Dist. of Philadelphia, 612 F.3d 712, 54 IDELR 274 (3d Cir. 2010); CH by Hayes v. Cape Henlopen Sch Dist, 606 F.3d 59, 54 IDELR 212 (3d Cir 2010); School District of Philadelphia v. Williams ex rel. LH, 66 IDELR 214 (E.D. Penna. 2015); Stapleton v. Penns Valley Area School District, 71 IDELR 87 (N.D. Penna. 2017). See Reid ex rel. Reid v. District of Columbia, 401 F.3d 516, 43 IDELR 32 (D.C. Cir. 2005); Garcia v. Board of Education, Albuquerque Public Schools, 530 F.3d 1116, 49 IDELR 241 (10th Cir. 2008); In re Student with a Disability, 52 IDELR 239 (SEA W.V. 2009). The conduct of the parties is always relevant when fashioning equitable relief. CH by Hayes v. Cape Henlopen Sch Dist, 606 F.3d 59, 54 IDELR 212 (3d Cir 2010). See, Branham v. District of Columbia, 427 F.3d 7; 44 IDELR 149 (D.C. Cir. 2005).

15. Compensatory education or services is one remedy that may be awarded to a parent when a school district violates the special education laws. In general, courts, including the Third Circuit, have expressed a preference for a qualitative method of calculating compensatory educational awards that

addresses the educational harm done to the student by the denial of a free and appropriate public education. GL by Mr. GL and Mrs. EL v. Ligonier Valley School District Authority, 802 F. 3d 601, 66 IDELR 91 (3d Cir. 2015); Gwendolynne S by Judy S and Geoff S v West Chester Area Sch Dist, 78 IDELR 125 (ED Penna 2021); see Reid ex rel. Reid v. District of Columbia, 401 F. 3d 516, 43 IDELR 32 (D.C. Cir. 2005). In Pennsylvania, in part because of the failure of special education lawyers to provide evidence regarding harm to the student caused by the denial of FAPE, courts and hearing officers have frequently utilized the more discredited quantitative or “cookie cutter” method that utilizes one hour or one day of compensatory education for each day of denial of a free and appropriate public education. The “cookie cutter” or quantitative method has been permitted by courts, especially where there is an individualized analysis of the denial of FAPE or harm to the particular child. See, Jana K. by Kim K v. Annville Sch. Dist., 39 F. Supp. 3d 584, 53 IDELR 278 (M.D. Penna. 2014).

16. The parents have failed to prove that the school district denied a free and appropriate public education to the student.

17. The parents have proven that the school district failed to implement material provisions of the student's IEP concerning the related service of speech-language therapy.

DISCUSSION

I. Merits

1. Whether the parents have proved that the school district denied a free and appropriate public education to the student?

The parents contend that the school district denied a free and appropriate public education to the student because it failed to assign the student to the Pennsylvania School for the Deaf. The school district contends that it provided a free and appropriate public education to the student at the elementary school to which the student was assigned.

The gravamen of the parents' complaint is their contention that the school district should provide an ideal education for the student. The parents contend that the school district is legally obligated to assign the student to the Pennsylvania School for the Deaf because that would be the best place for the student to be educated. The parents have stated that they feel that the student would be more successful at the School for the Deaf. The parents' desire for an ideal education is evidence in their closing argument and pre-hearing brief when they describe a full linguistic environment for language access and cultural access.

The parents' desire for their child to receive an ideal education is understandable; every parent wants the best for their child. However, the law does not require a school district to provide an ideal education, or the best possible education, for a student with a disability. IDEA requires only that a student receive an appropriate education, not the best possible education.

When applying the correct legal standard, that is whether the student's IEP was reasonably calculated to confer meaningful educational benefit in light of the student's unique circumstances, it is clear that the student here received a free and appropriate public education. The student's IEP was individualized and clearly tailored to meet the student's needs as identified in the evaluation of the student conducted by the school district. The IEP developed by the school district for the student provides FAPE.

Moreover, although it is not required that a school district demonstrate that a student made actual progress under the student's IEP in order to provide FAPE to a student, in this case, the student did make actual progress. The documentary evidence and the testimony of the student's teacher show that the student was making progress.

It is clear from the evidence in the record that the parents predetermined that the student must attend the Pennsylvania School for the Deaf and that no other school or location would be acceptable to them. The parents failed to have an open mind regarding the location at which the student would be educated. Such predetermination is not consistent with the principles of IDEA. Moreover, the parents don't point to any substantive or procedural flaws in the IEP or the IEP process. It is significant to note that the student's mother testified that the parents never requested any changes to the student's IEP or any modifications of the educational program at the school district. It is very clear from the evidence in the record that the parents never gave the school district educational program a chance; their FAPE challenge is really not a FAPE challenge but rather just a means to effectuate their desired location for the student's education.

It should be noted that this is not a dispute about the educational placement of the student. Placement specifically does not include the location, or specific school, at which an IEP is implemented. School district officials retain wide discretion to select an appropriate school for the student. A parent cannot dictate a school or specific location at which a student's IEP is implemented.

The parents' desired location, the Pennsylvania School for the Deaf, also runs afoul of IDEA's least restrictive environment requirement, which the Third Circuit has held is a substantive requirement of IDEA. The Pennsylvania

School for the Deaf is a much more restrictive environment than the elementary school in the school district. The evidence does not support such a restrictive placement for this student.

One argument made by the parents concerning LRE must be addressed. There is not a different and separate standard for least restrictive environment for deaf students as the parents have argued. The Third Circuit has made it clear that there is only one LRE standard and it is a preference for educating students with disabilities in the least restrictive point along the continuum of alternative placements that is appropriate for that student.

The parents have not proven that the school district denied a free and appropriate education to the student.

Concerning this issue, the testimony of the school district witnesses was more credible and persuasive than the testimony of the student's mother. This conclusion is made because of the demeanor of the witnesses, as well as the following factors: the parents predetermined that the student's IEP was not appropriate and never identified any flaws in the IEP or suggested any changes to the student's IEP or modifications to the student's educational program before alleging a denial of FAPE.

2. Whether the parents have proved that the school district failed to implement material provisions of the student's IEP involving speech – language therapy?

The student's IEP provides that the student will receive 90 minutes of group speech- language therapy per month. The parents presented testimony and documentary evidence that from March 6, 2026 through the date of the hearing, the student had not received the speech-language therapy because

the school district's speech-language therapist left for maternity leave and has not been replaced. The school district confirms this point.

It is clear from the evidence in the record, including the school district's own evaluation of the student, that the student has speech-language needs and speech-language therapy as a related service is a material portion of the student's IEP. Because the student was not provided with speech-language therapy, which is a material portion of the student's IEP, the student is entitled to compensatory services from the school district for the time missed in speech-language therapy, March 6, 2026 to the time that a therapist became available.

It should be noted that the violation by the school district here was a failure to implement violation and not a substantive IEP flaw resulting in a denial of FAPE. Accordingly, the appropriate remedy is to provide compensatory services in the amount of speech-language therapy actually missed by the student because of the school district's failure to provide a therapist.

A credibility determination is not needed with regard to this issue because all parties agree that the IEP was not implemented and that compensatory services are required. However, the testimony of the mother was more credible and persuasive with regard to this issue because of the demeanor of the witnesses, as well as the following factor: the documentary evidence supports the testimony of the mother on this issue.

II. Relief

The parents have not proven that the school district's IEP denied FAPE to the student. The parents have, however, proven that there was a failure to implement the student's IEP by the school district.

Accordingly, the parents request that the student be assigned to the Pennsylvania School for the Deaf is denied. However, the parents are awarded, compensatory services for the period during which the student's IEP was not implemented by the school district – 90 minutes of speech-language therapy times the number of months that the service was not provided to the student.

Because all relief under IDEA is equitable relief and should be flexible in nature, and because special education under IDEA requires a collaborative process, Schaffer v. Weast, 546 U.S. 49, 44 IDELR 150 (2005), the parties shall have the option to agree to alter the relief awarded herein, so long as both parties and any lawyers representing them agree to do so in writing.

ORDER

Based upon the foregoing, it is **HEREBY ORDERED** as follows:

1. The school district is ordered to provide compensatory education or services to the student for the period during which material provisions of the student's IEP were not implemented, as described above.

a. The student's parents may decide how the compensatory education/services is provided. The compensatory education/services may take the form of any appropriate developmental, remedial or

enriching educational service, product or device for the student's educational and related services needs;

b. The compensatory education/services may be used at any time from the present until the student turns age twenty-one (21); and

c. The compensatory education/services shall be provided by appropriately qualified professionals selected by the parents. The cost to the school district of providing the awarded compensatory education/services may be limited to the average market rate for private providers of those services in the county where the district is located; and

3. The parties may adjust or amend the terms of this order by mutual written agreement signed by all parties and counsel of record; and

4. All other relief requested by the instant due process complaint is hereby denied.

IT IS SO ORDERED.

ENTERED: June 17, 2026

James Gerl

James Gerl, CHO
Hearing Officer