

October 30, 2002

Mr. Mrs.

Mr. John F. Brink  
Tueth Keeney Cooper et al  
425 S. Woods Mill Road  
Suite 300  
St. Louis, MO 63017

Re: v. Sedalia 200 School District

**ORDER GRANTING SUMMARY JUDGMENT**

This Order Granting Summary Judgment is entered this 30<sup>th</sup> day of October, 2002 and is based on the following determinations:

1. Respondent's Motion for Summary Judgment was filed with the Panel Chairperson on October 12, 2002 with copies served on the other panelists and the Parents.
2. The Parents were notified by letter from the Panel Chairperson dated October 17, 2002 to file any response to Respondent's motion that they wished to have considered by the Panel Chairperson no later than October 28, 2002.
3. Jurisdiction is proper for determination of matters in this case.
4. As of October 30, 2002, no response has been received from the Parents.

5. The Panel Chairperson reviewed the request for relief sought by the Parents and has determined that the requested relief was that medications be administered by the school district.
6. The requested administration of the medication violates the established policy of the Respondent and the policy is neutral as to its applications.
7. The cases of DeBord v. Board of Education, 126 F.3d 1102 (8<sup>th</sup> Cir. 1997) and Davis v. Francis Howell School District, 138 F.3d 754 (8<sup>th</sup> Cir. 1998) are dispositive of the issue presented concerning the administering of medications, to wit: a school district is not required to violate its established neutral medications policy in response to a request as such request is made in this matter.

Therefore, this Order is entered granting the motion for summary judgment and dismissing the matter.

Entered by

/s/ Ivan L. Schraeder  
Ivan L. Schraeder, Panel Chairperson

Cc: Ms. Janet Jacoby, Panel Member  
Mr. George Wilson, Panel Member  
Department of Elementary & Secondary Education