

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

G.M. b/n/f Stephanie M. v. Salem City School Board

No. 7:25-cv-00291, United States District Court for the Western District of Virginia (January 30, 2026)

SUMMARY

The United States District Court for the Western District of Virginia denied the Salem City School Board’s motion to exclude proposed additional evidence and motion to dismiss in an action challenging an IDEA manifestation determination and 45-day disciplinary suspension. The court held that the case was not moot because compensatory education and other relief remained available, and concluded that the amended complaint adequately pleaded and exhausted the relevant IDEA, Rehabilitation Act, and ADA claims. The opinion also addresses the court’s discretion to consider supplemental evidence and the deference owed to administrative fact-finding.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	Robert S. Ballou
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	January 30, 2026
DOCKET	7:25-cv-00291
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought an action under the Individuals with Disabilities Education Act seeking review of a special-education hearing officer's manifestation-determination decision and also asserted claims under the Rehabilitation Act and Title II of the Americans with Disabilities Act. Defendant moved to exclude proposed additional evidence and to dismiss the amended complaint under Rule 12(b)(6). The court denied both motions.
STANDARD OF REVIEW	Under the IDEA, the district court must receive the administrative record, hear additional evidence at a party's request, and decide based on the preponderance of the evidence while giving due weight to regularly made administrative factual findings. On the motion to dismiss, the court accepted well-pleaded allegations as true and asked whether the amended complaint stated a facially plausible claim.

	Standing for prospective injunctive relief required a real and immediate threat of future injury.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court
PARTIES	G.M. b/n/f Stephanie M. v. Salem City School Board

TOPICS

administrative law

ada / disability

exhaustion of remedies

motions to dismiss

civil procedure

PRACTICE AREAS

special education

disability discrimination

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the district court should exclude proposed additional evidence from the IDEA administrative record.
2. Whether the action was moot because G.M.'s 45-day suspension had ended and he had returned to school.
3. Whether the amended complaint should be dismissed because the hearing officer's decision was regularly made and entitled to deference.
4. Whether G.M. sufficiently exhausted and pleaded his IDEA, Rehabilitation Act, and ADA claims, including claims for compensatory education and damages.
5. Whether G.M. had standing to seek prospective injunctive relief concerning the School Board's manifestation-determination procedures and his disciplinary record.

HOLDINGS

1. The court denied the motion to exclude because the proposed evidence could supplement gaps in the administrative record and was not so repetitive that its consideration would improperly create an unrestricted trial de novo.
2. The action was not moot because G.M.'s request for compensatory educational services and other possible relief presented a live controversy despite his return to school.
3. The amended complaint survived dismissal because it adequately alleged that the hearing officer's decision may not have been regularly made and plausibly alleged that G.M.'s conduct was a manifestation of his disability.
4. G.M. sufficiently exhausted his claim for compensatory education services and adequately pleaded claims that survived the School Board's motion to dismiss.
5. G.M. adequately alleged standing for prospective relief at the pleading stage by alleging a real and immediate threat of similar future injury from the School Board's manifestation-determination practices and continued reliance on the challenged disciplinary record.

KEY QUOTATIONS

“The IDEA provides that the district court: “(i) shall receive the records of the administrative proceedings; (ii) shall hear additional evidence at the request of a party; and (iii) basing its decision on the preponderance of the evidence, shall grant such relief as the court determines is appropriate.”” (at 9)

“Here, none of the additional evidence proposed by plaintiff is so repetitive that it should not supplement the administrative hearing record, nor does considering the proposed evidence threaten the role or weight due the administrative proceeding.” (at 10)

“G.M. seeks compensatory educational services as a remedy for his improper 45-day suspension, which presents a live controversy.” (at 11)

FACTUAL BACKGROUND

G.M., a student with autism and an other-health-impairment disability, struck another student during adaptive physical education after being hit in the face and then struck in the head with a basketball. The School Board conducted a manifestation determination review and concluded that the conduct was not caused by G.M.'s disability and did not result from a failure to implement his individualized education program. G.M. was suspended for 45 days, and the hearing officer later upheld the School Board's decision. G.M. alleged that his conduct was disability-related, that school personnel failed to provide required redirection, and that the hearing officer improperly excluded relevant evidence.

PROCEDURAL HISTORY

After G.M. received a 45-day suspension following a manifestation determination review, his mother requested an expedited special-education due-process hearing. The hearing officer ruled for the School Board. G.M. then filed this federal action seeking review, compensatory education, and other relief. The court considered the School Board's motions to exclude additional evidence and dismiss and denied both.

DISPOSITION

other

CASES CITED

- Fry v. Napoleon Community Schools, 580 U.S. 154, 167, 170 (2017)
- A.W. ex rel. Wilson v. Fairfax County School Board, 372 F.3d 674, 684 (4th Cir. 2004)
- Schaffer ex rel. Schaffer v. Weast, 554 F.3d 470, 475-76 (4th Cir. 2009)
- Springer v. Fairfax County School Board, 134 F.3d 659, 666-67 (4th Cir. 1998)
- Town of Burlington v. Department of Education for Commonwealth of Massachusetts, 736 F.2d 773, 790 (1st Cir. 1984)
- School Committee of Town of Burlington, Massachusetts v. Department of Education of Massachusetts, 471 U.S. 359 (1985)
- G.M. by E.P. v. Barnes, 114 F.4th 323, 330, 333-34 (4th Cir. 2024)

- *Leaders of a Beautiful Struggle v. Baltimore Police Department*, 2 F.4th 330, 336 (4th Cir. 2021) (en banc)
- *Ross v. Reed*, 719 F.2d 689, 693-94 (4th Cir. 1983)
- *Bouabid v. Charlotte-Mecklenburg School Board of Education*, 62 F.4th 851, 857, 861 (4th Cir. 2023)
- *County School Board of Henrico County, Virginia v. Z.P. ex rel. R.P.*, 399 F.3d 298, 304-05 (4th Cir. 2005)
- *Doyle v. Arlington County School Board*, 953 F.2d 100, 104-05 (4th Cir. 1991)
- *J.P. ex rel. Peterson v. County School Board of Hanover County, Virginia*, 516 F.3d 254, 259 (4th Cir. 2008)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Johnson v. Charlotte-Mecklenburg School Board of Education*, 20 F.4th 835, 840 (4th Cir. 2021)
- *A.J.T. by and through A.T. v. Osseo Area School, Independent School District No. 279*, 605 U.S. 335, 336, 339, 345 (2025)
- *Koon v. North Carolina*, 50 F.4th 398, 405 (4th Cir. 2022)
- *Luna Perez v. Sturgis Public Schools*, 598 U.S. 142, 143 (2023)
- *M.M. ex rel. D.M. v. School District of Greenville County*, 303 F.3d 523, 535-36 (4th Cir. 2002)
- *K.I. v. Durham Public School Board of Education*, 54 F.4th 779, 792 (4th Cir. 2022)
- *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992)
- *Friends of the Earth, Inc. v. Gaston Copper Recycling Corp.*, 629 F.3d 387, 396 (4th Cir. 2011)
- *Bryant v. Cheney*, 924 F.2d 525, 529 (4th Cir. 1991)
- *City of Los Angeles v. Lyons*, 461 U.S. 95, 101-03 (1983)