

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

G.C., by and through his parent R.C., and R.C., in his own right v.
Capital School District

C.A. No. 24-592-RGA · No. C.A. No. 24-592-RGA; 1:24-cv-00592 · Decided January 21, 2026

SUMMARY

The Report and Recommendation addresses Plaintiffs’ challenge to a Delaware special-education due process decision concerning whether school-district emails mentioning a student constitute education records that must be disclosed under the Individuals with Disabilities Education Act. The court recommends granting Capital School District’s motion for summary judgment and denying Plaintiffs’ motion, concluding that emails are not per se education records unless maintained as part of the student’s official educational records. The recommendation also discusses the IDEA’s incorporation of the Family Educational Rights and Privacy Act definition of education records and the effect of a recent Delaware statutory amendment.

CASE DETAILS

COURT	United States District Court for the District of Delaware
WRITING FOR THE COURT	Laura D. Hatcher
JURISDICTION	United States District Court for the District of Delaware
DECIDED	January 21, 2026
DOCKET	C.A. No. 24-592-RGA; 1:24-cv-00592
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on the parties' cross-motions for summary judgment on a supplemented administrative record in an action challenging a Special Education Due Process Hearing Panel decision under the IDEA.
STANDARD OF REVIEW	Modified de novo review applies to an IDEA administrative decision. Administrative factual findings receive due weight and are prima facie correct, while legal questions are reviewed plenary. A district court may reject administrative findings if it fully explains its reasons.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	G.C., by and through his parent R.C., R.C., in his own right v. Capital School District

TOPICS

ada / disability

administrative law

statutory interpretation

summary judgment

civil procedure

PRACTICE AREAS

special education

education records and privacy

federal administrative review

civil procedure

QUESTIONS PRESENTED

1. Whether every email that mentions or relates to a student is per se an education record that must be disclosed to the student's parent under the IDEA.
2. Whether emails stored on a state-maintained email server are necessarily education records because they are digitally stored or backed up.
3. Whether redaction of personally identifiable information from emails and the 2024 amendment to 14 Del. C. § 3130(b) required production of all emails mentioning G.C.

HOLDINGS

1. Routine emails are not per se education records subject to the IDEA's parental inspection right. Emails must satisfy the applicable definition of education records, including the requirement that they be maintained by the educational agency in the intentional and purposeful sense recognized under FERPA.
2. Mere storage or backup of emails on a server, including a server maintained by the State of Delaware, does not by itself satisfy FERPA's maintenance requirement or make every email an education record.
3. The 2024 amendment to 14 Del. C. § 3130(b) does not require production of every email mentioning a student because the statute limits the records subject to inspection to those concerning the child's identification, evaluation, educational program and placement, or provision of a FAPE.
4. Redaction of personally identifiable information from emails does not establish that the emails are education records subject to the IDEA's parental inspection right.

KEY QUOTATIONS

"In accord with numerous other federal courts, and the Supreme Court, I determine that all emails are not per se education records pursuant to the IDEA, and, thus, they were not required to have been produced by the District when Parent requested them in December of 2023."

"As interpreted by the Supreme Court, "maintain" does not merely mean "to store.""

FACTUAL BACKGROUND

G.C. is a minor with ADHD, learning disabilities, and speech and language impairment who receives specially designed instruction under the IDEA. Parent requested G.C.'s education records and contended that all emails relating to G.C. should have been produced. The District produced no emails in response to the initial request and argued that emails were education records only if they related to G.C.'s IEP and had been printed or placed in his official record. The Hearing Panel concluded that the IDEA did not require production of every email associated with G.C.

PROCEDURAL HISTORY

Parent requested a due process hearing alleging that Capital School District failed to provide all of G.C.'s education records, particularly emails relating to G.C. The Hearing Panel ruled for the District, concluding that the IDEA did not require production of every email mentioning G.C. Plaintiffs filed this action, supplemented the administrative record with emails produced during discovery, and the parties filed cross-motions for summary judgment. The magistrate judge recommended denying Plaintiffs' motion and granting the District's motion.

DISPOSITION

other

CASES CITED

- Munir v. Pottsville Area School District, 723 F.3d 423, 426, 430 (3d Cir. 2013)
- Board of Education of Hendrick Hudson Central School District, Westchester County v. Rowley, 458 U.S. 176, 207 (1982)
- D.S. v. Bayonne Board of Education, 602 F.3d 553, 564-67 (3d Cir. 2010)
- L.E. v. Ramsey Board of Education, 435 F.3d 384, 389 (3d Cir. 2006)
- Mary T. v. School District of Philadelphia, 575 F.3d 235, 241 (3d Cir. 2009)
- Shore Regional High School Board of Education v. P.S., 381 F.3d 194, 199 (3d Cir. 2004)
- Carlisle Area School v. Scott P., 62 F.3d 520, 527-29 & n.3 (3d Cir. 1995)
- Owasso Independent School District v. Falvo, 534 U.S. 426, 433-35 (2002)
- Doe v. Rutgers, 2023 WL 2239399, at *3 (3d Cir. Feb. 27, 2023)
- Burnett v. San Mateo Foster City School District, 739 F. App'x 870, 873-74 (9th Cir. 2018)
- T.I. v. District of Columbia, 2025 WL 2029822, at *13-15 (D.D.C. July 21, 2025)
- S.B. v. San Mateo Foster City School District, 2017 WL 4856868, at *18 (N.D. Cal. Apr. 11, 2017)
- E.D. v. Colonial School District, 2017 WL 1207919, at *10 (E.D. Pa. Mar. 31, 2017)
- S.A. v. Tulare County Office of Education, 2009 WL 3126322, at *5-7 (E.D. Cal. Sept. 24, 2009)
- Pollack v. Regional School Unit 75, 2015 WL 1947315 (D. Me. Apr. 29, 2015)