

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

C.B. v. Henry County School District

No. 24-11410 (11th Cir. Feb. 19, 2026) · No. 24-11410 · Decided February 19, 2026

SUMMARY

The Eleventh Circuit affirmed the ruling that Henry County School District’s placement of C.B. in a mild intellectual disability class rather than an interrelated resource class did not violate the Individuals with Disabilities Education Act’s least-restrictive-environment requirement. The court held that this requirement does not govern placement choices between two special education classes and rejected the parents’ evidentiary challenge. It reversed the district court’s mootness determination regarding the Georgia Alternate Assessment and remanded that claim for further proceedings.

CASE DETAILS

COURT	United States Court of Appeals for the Eleventh Circuit
WRITING FOR THE COURT	Kidd; Branch; Abudu
JURISDICTION	United States Court of Appeals for the Eleventh Circuit
DECIDED	February 19, 2026
DOCKET	24-11410
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Parents appealed the district court's judgment affirming an administrative law judge's IDEA placement decision and dismissing as moot a challenge to C.B.'s placement on the Georgia Alternate Assessment track.
STANDARD OF REVIEW	The least-restrictive-environment question is reviewed de novo as a mixed question of law and fact; statutory interpretation is reviewed de novo; administrative factual findings are reviewed for clear error. Mootness is reviewed under the requirement that a live controversy and legally cognizable interest remain.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	C.B., by and through K.B. and S.B., K.B., S.B. v. Henry County School District

TOPICS

civil rights

mootness

appellate procedure

standard of review

PRACTICE AREAS

education law

disability law

civil rights

appellate procedure

QUESTIONS PRESENTED

1. Whether the IDEA's least-restrictive-environment requirement applies when a school district moves a student from one special-education class to another rather than from a regular-education class to a special-education class.
2. Whether the administrative law judge improperly relied on the transcript of an IEP meeting when deciding the placement dispute.
3. Whether the challenge to C.B.'s placement on the Georgia Alternate Assessment track was moot.

HOLDINGS

1. The IDEA's least-restrictive-environment requirement governs placement choices between regular education and special education, not a choice between different types of special-education classes. Because C.B.'s challenge concerned a move from one special-education class to another, it did not present a least-restrictive-environment violation.
2. The parents waived their evidentiary objection to the administrative law judge's reliance on the IEP meeting transcript because they introduced the transcript and failed to object to its use during the hearing.
3. The alternate-assessment claim was not moot because Georgia and federal law require the IEP team to make an alternative-assessment decision annually, leaving a live issue and a legally cognizable interest in the outcome.

KEY QUOTATIONS

“the least-restrictive-environment requirement applies only to the placement choice between a regular education class and a special education class—not to placement choices among different types of special education classes.” (9)

“Notably, a placement decision between two special education classes is not a factor in the least-restrictive-environment analysis.” (10)

“Thus, the GAA claim is not moot because, at the time of the proceedings below and on appeal, it was a “live” issue, and C.B. had a “legally cognizable interest in the outcome.”” (16)

FACTUAL BACKGROUND

C.B., a student with Down syndrome, received special-education services under an individualized education program in Henry County schools. After reviewing his progress, the IEP team determined that his interrelated resource class was no longer appropriate and changed his language-arts and mathematics placement to a mild intellectual disability class, despite parental objections. The IEP also selected the Georgia Alternate Assessment,

but a stay-put order kept C.B. in the prior placement and on the Georgia Milestones Assessment during the proceedings.

PROCEDURAL HISTORY

C.B.'s parents requested an IDEA due-process hearing after Henry County changed C.B.'s placement from an interrelated resource class to a mild intellectual disability class and selected the Georgia Alternate Assessment. The administrative law judge ruled that the placement complied with the IDEA and that the alternate assessment was appropriate. The district court affirmed the administrative decision and dismissed the alternate-assessment claim as moot. The Eleventh Circuit affirmed the placement ruling, vacated the mootness dismissal, and remanded the alternate-assessment claim.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The district court must consider the Georgia Alternate Assessment claim in the first instance. The district court's ruling in favor of Henry County on the placement decision remains affirmed.

CASES CITED

- Greer v. Rome City School District, 950 F.2d 688, 695-99 (11th Cir. 1991), opinion withdrawn, 956 F.2d 1025 (11th Cir.), and reinstated in part, 967 F.2d 470 (11th Cir. 1992)
- Draper v. Atlanta Independent School System, 518 F.3d 1275, 1284 (11th Cir. 2008)
- R.L. v. Miami-Dade County School Board, 757 F.3d 1173, 1181 (11th Cir. 2014)
- Lorillard v. Pons, 434 U.S. 575, 580 (1978)
- Forest Grove School District v. T.A., 557 U.S. 230, 239-40 (2009)
- Board of Education of Hendrick Hudson Central School District v. Rowley, 458 U.S. 176, 208 (1982)
- Daniel R.R. v. State Board of Education, 874 F.2d 1036, 1048 (5th Cir. 1989)
- Endrew F. ex rel. Joseph F. v. Douglas County School District RE-1, 580 U.S. 386, 400, 402-04 (2017)
- Fla. Public Interest Research Group Citizen Lobby, Inc. v. EPA, 386 F.3d 1070, 1086 (11th Cir. 2004)
- Already, LLC v. Nike, Inc., 568 U.S. 85, 91 (2013)
- K.A. ex rel. F.A. v. Fulton County School District, 741 F.3d 1195, 1200-01 (11th Cir. 2013)
- Torres v. City of Jonesboro, 842 S.E.2d 75, 77 (Ga. Ct. App. 2020)
- Sharpe v. Department of Transportation, 467 S.E.2d 722, 723 (Ga. 1996)